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GODDARD
An Address to the people of
Rhode Island . . . 1843

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A D D R E S S

TO

THE PEOPLE OF RHODE-ISLAND,

DELIVERED IN NEWPORT,

ON WEDNESDAY, MAY 3, 1843,

IN PRESENCE OF THE GENERAL ASSEMBLY, ON THE OCCASION OF
THE CHANGE IN

THE CIVIL GOVERNMENT

OF RHODE-ISLAND,

BY THE ADOPTION OF THE CONSTITUTION, WHICH SUPERSEDED
THE CHARTER OF 1663.

BY WILLIAM G. GODDARD.

PROVIDENCE :
KNOWLES AND VOSE, PRINTERS.
1843.



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CORRESPONDENCE.

NEWPORT, April 15, 1843.

DEAR SIR:—At a numerous and respectable meeting of the citizens of Newport, convened at the Town Hall in this place, on Friday the 14th inst., the enclosed resolutions were unanimously adopted. In fulfilment of the duty entrusted to us by our townsmen, and in compliance with their unanimous wishes, we respectfully request that you will consent to be the organ of their feelings and sentiments on the occasion referred to, which your thorough acquaintance with our ancient and proposed systems of government so well qualifies you to perform.

We are, with great respect, your friends and fellow-citizens,

RICHARD K. RANDOLPH,
NATHANIEL S. RUGGLES,
C. GRANT PERRY,
WM. B. SWAN.

WM. G. GODDARD, Esq., Providence.

At a meeting of the citizens of Newport, R. I., convened at the Town Hall on Friday evening, April 14, 1843, to take into consideration the propriety of adopting measures to commemorate the approaching change in the civil institutions of this State, the following resolutions were unanimously adopted :

Whereas, for more than two centuries since the settlement of our ancestors on this Island and Continent, the Colony and State of Rhode-Island has enjoyed, under institutions framed by those venerable men, an unequal degree of civil and religious liberty—with few interruptions, great worldly prosperity—and all the other fruits of a wise and well ordered frame of government:—And whereas, in the progress of things, the time has now arrived, when the system which has hitherto so happily effected these objects, is about to be superseded by a new form of government to which the people of this State, in a lawful and peaceable manner, have given their full and free consent :

Resolved, That the occurrence of a change in our political system of so important a character, under circumstances which have eminently developed the firmness, prudence, and prevailing good sense of our citizens, is deserving of a respectful commemoration, and should be celebrated in a spirit congenial to the temper which this trying and eventful crisis has called forth.

Resolved, That S. Fowler Gardner, Richard K. Randolph, William B. Swan, Christopher Grant Perry, and Nathaniel S. Ruggles be a committee to make the necessary arrangements for a proper commemoration of the cessation of the old, and the installation of the new government; and that they be authorized to invite some distinguished citizen of this State to express our sentiments on the occasion as to the important results to be deduced from this eventful era of our history.

Resolved, That these resolutions be signed by the Chairman and Secretary.

EDWARD W. LAWTON, *Chairman*.

JOHN W. DAVIS, Jr., *Secretary*.

PROVIDENCE, April 17, 1843.

GENTLEMEN,—I have the honor to acknowledge the receipt of your communication of the 15th instant, enclosing sundry resolutions, passed at a meeting of the citizens of Newport on the evening of the 14th, in relation to a respectful commemoration of the important change which, under very peculiar circumstances, is about to take effect in the frame of our civil government; and likewise requesting me to be “the organ of their feelings and sentiments,” on an occasion which is intended to commemorate “the cessation of the old and the installation of the new government.”

To be selected as the organ of the sentiments of the citizens of conservative Newport, upon an occasion designed to celebrate the triumph of great conservative principles, I shall never cease to prize as a solid distinction, of which any man, however unambitious, may well be proud.

While I signify my acceptance of the invitation which, in behalf of your townsmen, you have tendered to me, allow me to thank you, personally, for the very courteous and obliging terms in which that invitation is conveyed.

I am, gentlemen, with high respect,

Your friend and fellow-citizen,

WILLIAM G. GODDARD.

To Messrs.

RICHARD K. RANDOLPH,
NATHANIEL S. RUGGLES,
C. G. PERRY,
WILLIAM B. SWAN.

NEWPORT, MAY 4, 1843.

DEAR SIR,—We enclose a copy of a resolution passed by the General Assembly, at its present session, in relation to the highly interesting Address delivered by you on the third instant.

We have much pleasure in performing the farther duty assigned to us, by requesting a copy of that Address for publication; and we beg leave to express a hope that you will comply with this request, as soon as your convenience will permit.

We are, with sincere respect and regard,

Your friends and obedient servants,

ALBERT C. GREENE,
RICHARD K. RANDOLPH.

WILLIAM G. GODDARD, Esq.

STATE OF RHODE-ISLAND AND }
PROVIDENCE PLANTATIONS. }

In General Assembly, May 3d, A. D. 1843—

Resolved, That the thanks of this General Assembly be presented to WILLIAM G. GODDARD, Esq, for his very able and interesting Address in commemoration of the change of government in this State, delivered this day in presence of the General Assembly: and that Albert C. Greene, and Richard K. Randolph, Esquires, be appointed a Committee to communicate to Mr. Goddard a copy of this Resolution, and to request a copy of said Address for publication; and that they cause not less than two thousand copies thereof to be printed, and draw upon the General Treasury for the expense thereof.

True copy—witness,

HENRY BOWEN, *Secretary*.

NEWPORT, MAY 5, 1843.

GENTLEMEN,—Acknowledging, with just sensibility, the honor conferred upon me by the General Assembly, I hereby comply with the request so courteously communicated to me in your note of yesterday. Let me hope that I shall not too far presume upon the indulgence of the General Assembly, by adding to the Address a few historical notes which, from the limited time allotted to me, I have, thus far, been unable to prepare.

I have the honor to be, with sincere respect,

Your obedient servant,

WILLIAM G. GODDARD.

HON. ALBERT C. GREENE,
RICHARD K. RANDOLPH.

NEWPORT, MAY 4, 1843.

SIR,—The Committee of the citizens of Newport, tender to you their thanks for the excellent Address delivered by you, yesterday. The resolutions which have been adopted by the Legislature, respecting its publication, have anticipated their wishes and intentions on the subject. They can only second the invitation of that honorable Body, and express, in behalf of their fellow citizens, their earnest hope that you will be pleased to afford to the public generally an opportunity to participate in the gratification experienced by the audience, yesterday.

We have the honor to be, your obedient servants,

RICHARD K. RANDOLPH,
NATHANIEL S. RUGGLES,
C. G. PERRY,
WILLIAM B. SWAN,

Committee.

W. G. GODDARD, Esq.

ADDRESS.

MEN OF RHODE-ISLAND :

WHAT means this gathering of the people? What stirs the deep sympathies of the general mind? Why are the streets of this ancient Metropolis thronged with eager and exulting crowds? For what purpose have we entered these sacred courts? Why do I see before me the chief Executive Magistrate of Rhode-Island, the grave legislators of Rhode-Island, and a brilliant corps of the citizen soldiers of Rhode-Island? Have we all come hither to gaze at a captivating pageant; to exchange, in holiday humor, the congratulations of this holiday season; to celebrate, with heated passions, a partisan triumph, and to waste, amid pomp and festivity, the hours which should be consecrated to freedom and to truth? God forbid, my fellow citizens, that such should be either our duty or our choice! God forbid, that, at such a crisis as this, we should look away from the essential to the accidental—from the permanent obligations of principle, to the fugitive interests of men—from the august cause of LIBERTY AND LAW, to the poor and perishing concerns of ordinary political parties! I know you too well to think that, for any

such purposes, you have come together, upon the present occasion. Far nobler impulses than a mere contest for political power hath ever created, now agitate your hearts, and bid you to pour forth, from all that is within you, the voice of deep and tranquil joy, at our final deliverance from trouble ; and of solemn thanksgiving to ALMIGHTY GOD for the signal interpositions, in our behalf, of his watchful care and his restraining power. We are here assembled to commemorate the triumph of “the sovereign Law, the State’s collected will,” over treasonable counsels, and treasonable acts—over the unchastened fervors of the revolutionary spirit, and the actual perils of revolutionary strife. We are assembled, likewise, to look, for the last time, and with reverent eyes may it be, upon that venerable frame of civil government, the work, and, under God, the protection of our fathers, which embodies the seminal principles of civil and religious liberty ; and which, for nearly two hundred years, has showered upon this our goodly heritage the rich blessings of peace, prosperity, freedom and honor. And yet more, we have assembled, fellow citizens, to witness the organization of the government under that new Constitution, which the people of Rhode-Island, in the exercise of their sovereign power, have ordained and established—to the end that they might secure and transmit, unimpaired, to succeeding generations, the civil and religious liberty enjoyed under the Charter.

This, then, is a crisis without a parallel in the political history of Rhode-Island—and without a parallel, it would not be too much to add, in the politi-

cal history of any free government. How many chords of solemn interest does it touch ! How closely it links itself with the associations of the Past and the destinies of the Future ! What touching memories does it awaken of the venerated and heroic dead, who once adorned this ancient seat of wealth, and talent, and social elegance,* and who now slumber amid these scenes of placid and imperishable beauty ! How impressively does it admonish us of the dangers to which popular freedom is most exposed ; and with what eloquent earnestness does it exhort us, by the use of every instrumentality within our power, to save from destruction what, next to Christianity, would seem to be the great element of human progress !

I do not mean, fellow-citizens, to dwell long amid the depths of our early history. The generous sympathies which animate all hearts, at the present hour, would be somewhat impatient of the labors of minute and elaborate historical research. Without, therefore, intruding upon the province of the historian, I shall glance only at those epochs in the early history of Rhode-Island, which may serve to illustrate the principles of our fathers—principles which impressed themselves upon all the forms of their civil polity, and which, so far as taste, habit, and opinion are concerned, determined their whole system of common life.

In 1636, Roger Williams and his associates in the great work of founding a State upon the principles of entire religious freedom, and of unmixed democ-

* Appendix, Note A.

racy, commenced the settlement of that spot, to which, in grateful remembrance of "God's merciful Providence to him in distress," he gave the name of PROVIDENCE. They transacted in town meetings, monthly, the affairs of their infant colony; but of these meetings, unhappily, no record* has been preserved. That, at an early period, "the first comers" regulated themselves, by some general rules, may, however, be inferred, from the following simple covenant, which is copied from the first book of the records† of the town. To this covenant no date is affixed, but Knowles expresses a decided opinion that it was drawn up by Roger Williams:

"We, whose names are here under, desirous to inhabit in the town of Providence, do promise to subject ourselves, in active or passive obedience, to all such orders or agreements as shall be made for public good of the body in an orderly way, by the major assent of the present inhabitants, masters of families, incorporated together into a *town-fellowship*, and such *others whom they shall admit unto them*, only in civil things."

This simple instrument, as is justly remarked by Knowles, in his *Memoir of Roger Williams*, com-

* In March, 1676, Providence was attacked by the Indians, and twenty-nine houses were burnt, in one of which the records of the town were kept. To preserve them from the flames, the records were thrown into a mill pond, from which they were recovered in a mutilated state.

† "That there existed some kind of an agreement between the first settlers, 'masters of families,' is apparent from the terms of these articles. They are referred to as a town, as incorporated together into 'a town fellowship.' And it is equally certain that the first agreement, whether in writing or not, provided for obedience 'in civil things only,' otherwise this would not have been so guarded."—*Staples's Annals*.

bines the principles of pure democracy and unrestricted religious liberty. *Only in civil things!* What a pregnant exception do these few words embody! How emphatically do they recognise the great principle of the entire sanctity of the conscience, which our fathers were the first to establish, and which their children, I trust, to the remotest generations, will be the last to abandon. It will not escape remark, that no person could become a member of this “town-fellowship,” unless he had been *admitted* to the rights and privileges of membership. In those primitive days, the judgments and consciences of men were not betrayed from all true estimates of things, by the poor conceits of metaphysical politicians. What would have been thought, two hundred years ago, of the plea of a natural right, on the part of every man over twenty-one years of age, to be admitted a member of this memorable “town-fellowship!”

In 1637–8, Clarke, Coddington, and their associates, commenced a settlement upon this beautiful island,* which, says Callender, was in 1644, named the isle of Rhodes, or Rhode-Island—a name ultimately given to the whole State. The adventurers established “a body politic” under the following simple compact, which marks a spirit of humble dependance upon Almighty God, never more predomi-

* The northern part of the island was first occupied, and called Portsmouth. The number of colonists being increased during the summer, a portion of the inhabitants removed next spring to the south-western part of the island, where they commenced the town of Newport. Both towns, however, were considered as belonging to the same Colony.

Knowles's Memoir of Roger Williams.

nant than amid the sublimities of primeval solitude, and the rage of elemental war :

“ We, whose names are underwritten, do swear solemnly, in the presence of Jehovah, to *incorporate ourselves into a body politic*, and, as he shall help us, will submit our persons, lives and estates, unto our Lord Jesus Christ, the King of kings, and Lord of lords, and to all those most perfect and absolute laws of His, given us in His holy word of truth, to be guided and judged thereby.”

Under this compact, a government somewhat peculiar, and in form not dissimilar to a theocracy, was established. It did not, however, last long. Our forefathers were too much wedded to democracy and to religious freedom, to tolerate any institutions to which those grand, moving principles of human progress did not give their form and pressure.

In March, 1641–2, the first government established upon this island was moulded into a truer practical conformity to the cherished sentiment of the first settlers. At “a General Court of Election,” it was ordered and unanimously agreed that this government was “a democracy, or popular government,” and that the power to make laws and to depute magistrates to execute them, was “in the body of freemen orderly assembled, or a major part of them.” At the same time, was passed a law for securing liberty of conscience, in these memorable words :— “It is further ordered, by the authority of this present court, that none be accounted a *delinquent* for *Doctrine*, provided it be not directly repugnant to the government or laws established.” And, at the

next court in September, 1642, it was ordered "that the law of the last court, made concerning liberty of conscience, be *perpetuated*. All these acts go to show that the first settlers of Providence and the first settlers of Newport were united, in opinion and in feeling, upon the great leading principles which have marked throughout, and so strongly, the institutions and policy of this State. In this connection, another example of the early legislation of the settlers upon this island, ought to find a place. In 1638, they "ordered that none shall be received as inhabitants or freemen to build or plant upon the island, *but such as shall be received in by consent of the body*, and do submit to the government that is or shall be established according to the words of God." This is "law and order" in a nut-shell! Little did these simple colonists—these early democrats in faith and in practice, dream of those licentious and disorganizing doctrines which are broached by our modern demagogues, and which, if not repudiated by the good men and true of all political parties, will inevitably destroy the securities of temperate freedom throughout the land!

Under these simple compacts, suited to the condition of pioneers in the march of civil and religious liberty, our fathers continued to live and to prosper,—administering their civil governments upon the true principles of democracy; and, in all matters of religious concernment, maintaining inviolate the sacred rights of conscience.

In 1644, the towns of Providence, Portsmouth and Newport, which had thus far been separate set-

tlements or townships, were united under one government, by a Charter which Roger Williams, through the aid of Sir Henry Vane, obtained from the Parliament under the Commonwealth of England. This Charter conferred upon the inhabitants "full power and authority to govern and rule themselves, by such a form of civil government as by voluntary consent of all or the greatest part of them, shall be found most serviceable in their estates and condition"—provided such form of civil government "be conformable to the laws of England, so far as the nature and constitution of the place will admit."* For reasons which, in the absence of authentic history, we are left to conjecture, the government was not organized under this Charter, till May 1647, when the first session of the first General Assembly of Rhode-Island was held at Portsmouth. Warwick was then admitted into the association, with the same privileges as Providence.† The acts of this session are perfectly accordant with the principles of our fathers. They manifest a great

* The powers conferred by the Charter are exceedingly ample. No form of government is prescribed, and the choice of every officer is left to the inhabitants. In strict conformity, too, with the leading principle of the settlements, it refers only to civil government. The inhabitants are empowered to make "civil laws for their civil government." The colonists had always contended that their right to perfect religious liberty did not result from human laws. They could not, therefore, have accepted a grant of this from any human power, as that would be acknowledging a right to withhold the grant, and to control the exercise of religious freedom.—*Staples's "Annals of the Town of Providence."*

† Warwick was settled in 1643, by a body of men unconnected with the colonists of Providence, Newport and Portsmouth. Thus were established in Rhode-Island, three distinct settlements, which, at the commencement, were entirely independent of each other.

jealousy of delegated power, a sacred regard for the protection of individual right, and an unfaltering attachment to the cause of religious liberty. "The code of laws which was ordained for the government of the Colony contains," says Mr. Justice Staples, in his *Annals of the Town of Providence*, "nothing touching religion or matters of conscience, thus pursuing the same silent yet most expressive legislation on the subject which was commenced in the Charter itself." That portion of the code relating to offences is followed by a declaration, so significant of the spirit which moved our fathers, and so full of genuine eloquence, that its repetition can never fall unheeded upon the ears of any of their sons :

"These are the laws that concern all men, and these are the penalties for the transgression thereof, which, by common consent, are ratified and established throughout the whole Colony ; and otherwise than this, what is herein forbidden, all men may walk, as their consciences persuade them, every one in the name of his God. And let the Saints of the Most High walk, in this Colony, without molestation, in the name of Jehovah their God, forever and ever."

"This noble principle," says the biographer of Roger Williams, "was thus established as one of the fundamental laws, at the first Assembly under the Charter. It is indigenous to the soil of Rhode-Island, and is the glory of the State." Bancroft, the distinguished Historian of the United States, thus happily describes the internal condition of

Rhode-Island, under the first Charter: "All men were equal ; all might meet and debate in the public assemblies ; all might aspire to office ; the people, for a season, constituted itself its own tribune, and every public law required confirmation in the primary assemblies. And so it came to pass that the little "democracie" which, at the beat of the drum or the voice of the herald, used to assemble beneath an oak or by the open sea-side, was famous for its "headiness and tumults"—its stormy town-meetings and the angry feuds of its herdsmen and shepherds. But, true as the needle to the pole, the popular will instinctively pursued the popular interest. Amidst the jarring quarrels of rival statesmen in the plantations, good men were chosen to administer the government, and the spirit of mercy, of liberality and wisdom was impressed on its legislation." Every man was safe in his person, name and estate. Such were the people of Rhode-Island two hundred years ago. Time hath changed none of the essential elements of their character and condition. They are not less anxious now than they were then, that the laws should be respected ; that good men should be elected to office ; that liberty should be enjoyed without licentiousness ; and that the spirit of mercy, liberality and wisdom, should mark all the proceedings of their government.

And now for the glorious OLD CHARTER, the much abused royal Charter, which has been superseded, not because it is old, and not because it is stigmatised as the grant of a King, but because, in the order of Providence, it has done its office ! At

the Restoration of Charles II., in 1660, the inhabitants of the Colony of Rhode-Island feared that those rights which they had obtained from the Parliament, under the Commonwealth, when at war with the father, would not be respected by the son. They had also reason to fear that the exertions of their neighbors—for our neighbors, even then, thrust their sickle into our corn—to obtain the recal of the Charter, would now be repeated, and with better success. They therefore adopted wise precautionary measures to avert the threatened danger. They entrusted to John Clarke, the agent of the colony in England, and a name illustrious in the annals of Rhode-Island, a new commission, investing him with full powers to take good care of their chartered rights and liberties. The faithful labors of Clarke, “our trusty and well-beloved friend,” were not in vain. On the 8th of July 1663, he obtained from Charles II., that Charter under which, for nearly two hundred years, Rhode-Island has exhibited the model of a free, prosperous and happy commonwealth. The Colonists welcomed, with no common joy, the arrival of “George Baxter, the most faithful and happy bringer of the Charter.” Here, on this beautiful spot, on the 24th of November, 1663, the whole body of the people gathered together, “for the solemn reception of his Majesty’s gracious letters patent.” The Charter, so says the ancient record, “was taken forth from the precious box which held it, and was read by Baxter, in the audience and view of all the people; and the letters, with his Majesty’s royal stamp, and the broad

seal, with much beseeming gravity, were held up on high, and presented to the perfect view of the people." The most humble thanks of the Colony were directed to be returned to his Majesty "for the high and inestimable, yea, incomparable grace and favor;" to the Hon. Earl of Clarendon, Lord High Chancellor of England, for his exceeding great care and love unto the Colony, and to the modest and retiring Clarke, who during a residence of twelve years in England, from 1651 to 1663, was the devoted and indefatigable agent of the Colony.* "How," says Bancroft, "could Rhode-Island be otherwise than grateful to Charles II., who had granted to them all that they had asked, and who relied on their affections, without exacting even the oath of allegiance!" "A very great meeting and assembly" do I now see gathered on this spot, to hail the adoption of a new Constitution, and to pay a tribute of grateful reverence to that Charter which our fathers, in 1663, welcomed with tokens of general joy. Recreant should we be to the memory of those fathers, if we could take our leave of this time-honored instrument, without a sentiment of gentle regret, that it can no longer be rescued from the operation of the great law of change.

My fellow-citizens: Quite too familiar are you with the Charter, to require, at my hands, any exact or formal statement of its provisions.† You need not be told, that it was granted to the people, in answer to their request; that it was formally accepted by a vote of the people; that it established what

* Appendix, Note B.

† Appendix, Note C.

Chalmers, a writer devoted to regal principles, pronounced, somewhat querulously, to be "a mere democracy, or rule of the people;" and, finally, that whatever changes, from time to time, it may have undergone, have been ratified, not only by the silent acquiescence, but by the positive sanction of the people. And yet this is the frame of civil government, which, at home and abroad, has been the theme of so much vulgar obloquy, and so much flippant sarcasm. This is the frame of civil government, which has been, again and again, branded as a royal charter, as a despotism and usurpation, under which a free people should scorn to live !*

The professional skill with which the Charter is draughted, though among its subordinate merits, deserves a passing comment. How dignified and perspicuous is its language ! What a choice specimen of English undefiled ! How luminous is the arrangement of its provisions ; how comprehensive and unambiguous the terms in which it secures to the people, not only perfect liberty of conscience, in matters of religion, but likewise the almost unrestricted power to govern themselves "in civil things !" The chief glory, however of the old Charter, is the ample security which it provides for religious liberty. To an assembly of Rhode-Island men, I need not apologise, for repeating, on an occasion like the present, the noble and ever memorable declaration of the Charter. "No person within the said

* Vide Marcus Morton's letter, in answer to an invitation from "the ladies of Woonsocket," to attend their "Clam Bake and Pic Nic," in October last.

Colony, at any time hereafter, shall be any wise molested, punished, disquieted, or called in question, for any differences in opinion, in matters of religion, who does not actually disturb the peace of our said Colony ; but that all and every person and persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his own and their judgments and consciences, in matters of religious concernments, throughout the tract of land heretofore mentioned, they behaving themselves peaceably and quietly and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance of others.” It is grateful to know that this memorable declaration, which indicates on the subject of religion a catholic spirit quite in advance of the prevalent spirit of the age, was but a response to the petition of our forefathers, in which they “freely declared, that, it is much on their hearts (if they be permitted) to hold forth a lively experiment, that a most flourishing civil State may stand and be best maintained, and that among our English subjects, with a full liberty in religious concernments ; and that true piety, rightly grounded upon Gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men the strongest obligations to loyalty.”

The principles of entire religious freedom on which this State was founded, have impressed themselves upon all our institutions ; upon our religion, our legislation, our politics, and upon the habits, manners, and opinions of our social life.* No relig-

* Appendix, Note D

ious sect has ever sought, through the operation of law, to obtain pre-eminence ; and the various rival sects, which exist among us, have seldom suffered their differences of opinion to betray them into very wide departures from true Christian liberality and courtesy. Bishop Berkeley spoke from his own experience of this place and people, when, in a letter to a friend in Dublin, dated Newport, April 24th, 1729, (after mentioning the various sects which prevailed,) he said, “Notwithstanding so many differences, here are fewer quarrels about religion than elsewhere, the people living peaceably with their neighbors of whatsoever persuasion.” What was true of Newport, more than a century ago, was not less true, it is believed, of other towns in the Colony, where similar differences of opinion prevailed. The testimony of Berkeley would not be inapplicable to Rhode-Island, at the present time ; for, nowhere in this country are collisions between rival sects less infrequent ; nowhere is theological controversy less suited to the public taste ; and nowhere are the gracious interchanges of social intercourse so little interrupted by sectarian differences of opinion. While, in neighboring States, religious sects have allied themselves to political parties, for political purposes, here, in Rhode-Island, such connexions have never been attempted, and, if attempted, would be discountenanced by some signal exhibition of public opinion. No man among us has been excluded from office, or elected to office, because he chanced to belong to one religious sect or to another. The legislation of the State, in respect to religious corpora-

tions, has been strictly impartial. The privileges which have been granted to one sect, have been granted to all—and those which may have been denied to one, have been denied to all. The result has been most auspicious. The State has never interfered with religion, and religion has been left without a pretext for interfering with the State.

The extraordinary prosperity which, with few interruptions, the people of this State have enjoyed, since 1663, evinces with what wisdom and equity our Charter government has been administered. Wholesome and equal laws, suited to the condition of the community, have been enacted by a Legislature composed of men chosen directly by the people, having a common interest with them—and having, therefore, less temptation to impose oppressive burthens or to usurp dangerous powers. Justice, civil and criminal, has been promptly, cheaply and impartially administered. Men of all classes, assured that their rights were safe under the protection of the law, have been busy in bettering their own condition. The results are what might have been anticipated. Since the reception of the Charter, twenty-seven new towns have been incorporated—the population of the State has increased from 2,500 to over one hundred thousand—agriculture has developed the capacities of our soil; commerce has decorated our cities with its spoils; and manufactures, and that too within the last thirty years, have dotted our territory with thriving villages. Above all, religion and letters have superadded to abundant physical comforts ample means to carry forward this

whole people in an elevated career of intellectual and moral happiness. Exorbitant wealth may seldom or never have been acquired ; but, what is far better for the good of the whole, enterprise, frugality, sagacity and diligence, have been rewarded by those moderate accumulations which are attended with the least hazard to human virtue, which are best suited to the genius of our republican institutions, and which are less likely to be wasted in vicious extravagance, or periled upon the issues of mad speculation.

The government of Rhode-Island, under the Charter, has been eminently a government of Law and Order.* Antagonist political parties have mingled in hot strife ; but, amid all their struggles for superiority, they have never laid a rude hand upon the ark of constitutional freedom. The men who governed the State owned the State. This is the grand secret of the genuine freedom and the extraordinary peace and prosperity which the people have enjoyed under the Charter. “ Nowhere in the world,” says Bancroft, “ have life, liberty and property, been safer than in Rhode-Island !” Well may we exclaim, in the somewhat quaint but expressive language of one of our early colonial documents, “ we have long drank of the cup of as great liberties as any people that we can hear of under the whole heaven !”

Can we pass, my fellow-citizens, without emotions allied to those of filial sorrow, from under the beneficent dominion of the old Charter—the oldest

* Appendix, Note E

constitutional Charter in the world? Can we take our leave of this ancient and excellent frame of civil polity, without being penetrated with sentiments of gratitude for the rich blessings of which it has been the parent to this State, through all the vicissitudes of her being? Can we ever lose the conviction that this Charter contains principles destined never to perish? Can we ever forget that it was under the Charter, that Hopkins and Ellery affixed their signatures to the immortal Declaration of American Independence; that, under the Charter, "the Rhode-Island Line" stood foremost in fighting the battles of liberty; that, under the Charter, this State joined the Confederacy established by the glorious old thirteen; and, finally, that it was under the Charter, that Rhode-Island, by the adoption of the American Constitution, added the last link to that chain of more perfect union which binds these States together? How inseparable, likewise, is the Charter from all our memories, not only of the deeds, but of the men of other times! How vividly does it recal to our minds distinguished politicians, who, less than a quarter of a century since, mixed themselves so largely with our counsels and our strifes, and who, it is sad to think, have nearly all departed! How lively, at an hour like this, are our recollections of the cultivated, vigorous, and eminently practical mind of James Burrill; the inflexible uprightness and varied attainments of Samuel Eddy; the extraordinary intellectual and political ascendancy, early acquired and to the last maintained, by Elisha R. Potter; and the searching

analysis, the dialectic skill, the effective, but never vehement eloquence, of Benjamin Hazard.* These recollections of distinguished Rhode-Island men, who are no longer among us, should not be permitted to escape from our minds, without admonishing us of the high duties which we owe to the State. Never, perhaps, at any previous crisis in her history, has Rhode-Island more needed the aid of wise and patriotic and intrepid counsellors. She is about to embark, under new auspices, in a new career. See ye to it, Legislators and Men of Rhode-Island, that this new career be commenced aright, upon principles which will stand the test, long after you and I shall have been gathered unto our fathers! The ANCHOR of Rhode-Island hath clung through many a storm; her HOPE, “untaught to yield,” has shed light upon many a disastrous hour.† Surely, it can never be that the future is destined to shame the past—that the halcyon days after the tempest are to bring in aught but just, and wise, and magnanimous counsels—to be the crowning triumph of our noble struggle in the cause of temperate and durable freedom!

In dismissing from our consideration, on the present occasion, that excellent system of government, which is fastened to our affections by so many ties, I rejoice to be able to congratulate you, in all sincerity, upon the establishment of a truly liberal Con-

* Appendix, Note F.

† At the May session of the General Assembly, in 1664, the seal of the Colony was fixed, an ANCHOR, with the word HOPE over it.

stitution, better suited, in some respects, than the Charter, to the actual condition of things in Rhode-Island—a Constitution adopted by the people in their sovereign capacity, and under the sanction, and according to the forms of law. The Convention which framed the Constitution was constituted upon a popular basis—every male native citizen of the United States, of competent age, being allowed to vote for delegates, without other qualification than a residence within the State sufficiently long to be deemed evidence of some common interest in the welfare of the State. Never in this, nor in any State within this Union, has a grave deliberative body assembled under circumstances so extraordinary, demanding more moral courage, more disinterested patriotism, or a wiser application of the lessons of practical political wisdom. This Convention, as you well know, was composed of men, distinguished for talent and character ; familiar with the interests of Rhode-Island, and animated, in all their doings, by a true Rhode-Island spirit. They addressed themselves to their work, with the determination to frame a Constitution which should be adapted to the peculiar condition of this State, and which should reflect, not the passions of excited masses—not the speculations of theoretical politicians—but the sober and deliberate judgments and wishes of the whole people, upon matters of general and lasting concern. This work they accomplished with eminent success. The Constitution which they framed, and submitted to the people, was adopted by a very decided vote of the people ; and, at the recent elec-

tion, its validity was practically acknowledged by a more imposing manifestation of popular sentiment than, in this State, was ever before seen.* To the great value of some of its principal provisions, I beg leave, for a few moments, to direct your attention.

The Constitution under which the government of Rhode-Island has just been organized, abrogates the freehold qualification, as an exclusive qualification, and makes provision for an extension of the right of suffrage, far more liberal than was either sought or expected, when the suffrage movement, as it is termed, was begun.† Liberal enough it may not be, to suit the notions of those who contend that every man in Rhode-Island, twenty-one years of age, has a natural right to vote. Liberal enough it may not be, to facilitate the plans of demagogues who seek, by inflaming the passions of concentrated masses, to hold in their own hands the whole political power

* The whole number of votes given for General Officers, at the first election under the Constitution, on the first Wednesday in April last, was about 16,600. The average majority in favor of the "Law and Order" candidates, was 1802.

† Suffrage, by the Constitution, is extended to every native citizen of the United States, of the age of twenty-one years, who has had his residence and home in the State for two years, and in the town or city where he offers to vote, six months next preceding the time of voting, whose name shall be registered in the town where he resides, on or before the last day of December, in the year next preceding the time of his voting, and who has, within such year, paid a tax or taxes assessed against him, in any town or city in the State, to the amount of one dollar, or has been enrolled in a military company, been equipped, and done duty therein, according to law, at least for one day, during such year.

Naturalized citizens are required to have a freehold, as heretofore, to entitle them to vote. And no person can vote to impose a tax or to expend money, in any town or city, unless he shall have paid a tax, within the year next preceding, upon property valued at least at \$134.—*Vide Constitution.*

of the State. No man among us, however, who considers the extent of our territory, the peculiar character of our population—the concentration, in four or five towns, of more than one half of the whole number of our inhabitants—the relative decline of population in the agricultural, and its rapid increase in the manufacturing districts, can, with any just reason, utter a complaint, because the new Constitution has not left the right of suffrage entirely unrestricted. In States of large territorial extent, where the agricultural interest is the predominant interest, universal suffrage may encounter some practical and efficient checks upon its otherwise inevitable tendencies to work mischief. In Rhode-Island, however, such salutary checks are not and never can be found. A wholly unrestricted suffrage would, therefore, be pregnant with incalculable evils to the State. It would jeopard the rights of property and the principles of liberty. If all history be not a lie, “there is a tendency in the poor to covet and to share the plunder of the rich; in the debtor, to relax or avoid the obligation of contracts; in the majority to tyrannize over the minority, and trample down their rights; in the indolent and profligate to cast the whole burden of society upon the industrious; and there is a tendency in ambitious and wicked men to inflame these combustible materials.”* If, my fellow-citizens, you desire to know how alarming are the mischiefs which universal suffrage† en-

* Chancellor Kent's Speech on the elective franchise in the New-York Convention, 1821.

† Rufus King, who was likewise a member of the New-York Convention in 1821, was not less decided in his opposition to universal suffrage. In his opinion, “no government, ancient or modern, could endure it.”

tails upon a community, look at the great city of New York. The prophecy of Mr. Van Buren has been well nigh fulfilled. The character of her voters is such as to render her elections "rather a curse than a blessing," and to "drive from the polls all sober-minded people."* The Empire State, if not destined to govern the country, is destined to exert a mighty influence upon the country. In less than a century, the city of New York, with the operation of universal suffrage, and under skilful direction, will govern the State of New York! Let not this impressive example, my fellow-citizens, be lost upon us. Let us adhere, and steadfastly adhere, to the provisions relative to suffrage established by the Constitution, if we would preserve to ourselves the blessings of good government; if, in the language of Washington, we would "make the public administration not the mirror of the ill-concerted and incongruous projects of faction, but the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests."

In the constitution of the legislative department, are likewise to be observed a wise adaptation to the peculiar conditions of our society, and at the same time, practical illustrations of a cardinal maxim of political philosophy. The House of Representatives is constructed upon the basis of population. Thus is redressed that inequality of representation, of which some of the towns have long complained; and thus, too, is given to mere numbers quite as much power

* Mr. Van Buren's Speech on the elective franchise, in the New-York Convention, 1821.

over the legislation of the State, as, consistently with the good of the whole, can to mere numbers be safely entrusted. The Senate, in order that it may prove an efficient check upon the House, when checks are most needed, is constituted upon very different principles. Each town, whatever may be its population, is entitled to elect one Senator and no more. Thus, while the city of Providence, with her 25,000 inhabitants, will, in the House, wield one-sixth of the whole legislative power of the State, she will, in the Senate, be entitled to exert no more power than the town of Jamestown, with less than four hundred inhabitants. A Senate, thus organised, may by theoretical politicians, be esteemed a monstrous anomaly. Government, however, it should be recollected, is a practical matter. It cannot be fashioned in exact accordance with abstract theories. It is meant to operate upon actual existences—upon man as he is—upon positive and mixed interests—upon the various and perchance conflicting passions and aims of human society. Were the Senators and Representatives, who compose the Legislature of Rhode-Island, elected upon the same basis of population, the legislative department would be without check or balance.* The government, however popular might be its form, would, in effect, be a despotism. The whole legislative power would be exercised by the representatives of mere numbers. What check would there be upon factious majorities “who are united

* “The only effectual safeguard to the rights of the minority, must be laid in such a basis or structure of the government itself, as may afford to a certain degree, directly or indirectly, a defensive authority in behalf of a minority having right on its side.”—Vide Mr. Madison's Speech in the Virginia Convention, 1829-30. Debates, pp. 537-38.

and actuated by some common impulse of passion or of interest adverse to the rights of other citizens, or to the permanent and aggregate interest of the whole?"* We have reason, my fellow-citizens, to be grateful that our Senate is just such a Senate as Rhode-Island needs ; just such a Senate as will be competent to restrain precipitate or oppressive legislation, should the House ever be swayed from its duty, under temporary inflammations of the popular mind—just such a Senate, in fine, as will maintain unimpaired the equal rights of every section of the State, and prevent any one interest from engrossing a dangerous portion of political power. The people of Rhode-Island look to the Senate, with entire confidence that, upon all occasions, it will fearlessly assert and maintain its constitutional rights. In the distribution of powers, they have made no distinction between the Senate and the House. These branches are, by the Constitution, in all respects, co-equal. It is as competent for the Senate to originate a bill as for the House—it is as competent for the Senate to negative a bill as for the House. Constituted as one branch of our Legislature is upon the basis of population ; and constituted as is the other upon a different and somewhat arbitrary principle, it would not be strange if, in the progress of the government, the constitutional exercise of the power of the Senate, in negating a bill passed by the House, should be stigmatised as an attempt, on the part of an oligarchy, to defeat the legitimate operation of the popular will. Let no such clamor

**Federalist*, No. X., by Mr. Madison.

be heeded. The issue thus sought to be made, would be a false issue. Whenever the Senate may see fit to check the power of the House, it will, in so doing, carry out the will of the people, as solemnly expressed in that Constitution which they have just ordained and established. Never let it be said, that the House is the representative of the people, rather than the Senate, because the former is constituted upon the basis of population, and the latter is not. The Constitution recognises not this dangerous distinction, and the people ought never, for one moment, to tolerate it, unless, by the irregular action of public sentiment, they are resolved to neutralize the most valuable conservative element in their whole system of government.

The increased stability given by the new Constitution to the judicial department of our government,* deserves a more extended commentary than would be suited to the genius of the present occasion. Under the Charter, the Judges of all the courts were annually elected by the Legislature, and the com-

* "The Judges of the Supreme Court shall be elected by the two Houses in grand committee. Each Judge shall hold his office until his place be declared vacant by a resolution of the General Assembly to that effect ; which resolution shall be voted for by a majority of all the members elected to the House in which it may originate, and be concurred in by the same majority of the other House. Such resolution shall not be entertained at any other than the annual session for the election of public officers : and in default of the passage thereof at said session, the Judge shall hold his place as herein provided. But a Judge of any court shall be removed from office, if, upon impeachment, he shall be found guilty of any official misdemeanor.

"The Judges of the Supreme Court shall receive a compensation for their services, which shall not be diminished during their continuance in office."—*Vide Constitution.*

pensation for their services might, at any time, be diminished by the Legislature. No system, if system it deserves to be called, could, in theory, be worse than this. While, however, the political power of the State was limited to freeholders, the evils of so pernicious a tenure of the judicial office were seldom, to any serious extent, experienced. A sound public opinion, especially of late years, has secured the State from the evils incident to a constitution of the judicial department of the government so utterly hostile to all just principles of popular freedom. The Judges of the Supreme Court, of late, have been exempted from the fate which, at every change of parties, inevitably befalls all other officers who owe their places to an annual legislative appointment. The salutary effects of this practically stable tenure of office have been seen in the elevated character which our Supreme Court has acquired, and in the increased confidence which is felt by the people in the wisdom of its decisions, and the rectitude of its administration. The framers of the new Constitution, when they made provision for a wide extension of the elective franchise, would have been false to their high trust, had they not armed the Judiciary with some corresponding power to protect individuals, and especially minorities, against encroachments from the Legislature ; and, likewise, to secure to every man, whether humble or elevated, whether enjoying the favor of the people, or, for any cause, exposed to their displeasure, the full and undisturbed possession of his constitutional rights. In the Constitution, which you, my

fellow-citizens, have adopted, you have declared that certain essential rights and principles shall be established, maintained, and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings. Without a Judiciary essentially independent, of what avail for the security of popular freedom would be this grave declaration of constitutional rights and principles? Why subject the executive power and the legislative power to restrictions, if the Judiciary be left powerless to enforce them? Why solemnly reserve to yourselves the rights of freemen, if, either through the timidity or the corruption of your courts, those rights cannot, whenever they are invaded, be intrepidly and effectually protected? In truth, my fellow-citizens, without a Judiciary which feels itself to be independent of the legislative power, no Constitution is worth the parchment upon which it is engrossed. Without such a Judiciary, there can be no freedom under a popular government. Without such a Judiciary, civilization, in its higher forms, can make no advance. Beware, then, Men of Rhode-Island, of that political man or of that political party, who may hereafter seek to inflame you with a jealousy of that department in your government, which, from the very nature of its functions, is least dangerous—and which, so long as the administration of justice is the chief end of government, you are most interested to cherish and to defend. In a monarchy, the king who is impatient of restraint upon his will, tolerates no Bench competent to shield the subject against the power of the throne. In republics like

our own, the case is essentially the same. No strangers to the impulses which animate royal bosoms, are the majority, which seeks to oppress the minority, and the demagogue, who hates every institution in the State which he cannot make tributary to his aims.* When have not factious majorities and profligate demagogues sought to persuade the people that an independent Judiciary is their master, and not their shield? When have they not affected to believe that learned and upright Judges, who dispense no patronage and exercise no political power—who are endowed with no spontaneous energy to arrest the operations of the executive or of the legislature, and whom it is never difficult to remove for malfeasance in office, are intrenched in some strong hold, which the people should watch with a jealous eye? Easily indeed must that people be duped, who suffer such morbid apprehensions to trouble their peace. Need I tell you, fellow-citizens, that the danger all lies in another quarter—in the occasional excesses of popular passion—in the artifices of the demagogue, who makes himself hoarse in proclaiming the wisdom of the people, and in declaring his marvellous love for the people—in the tendencies of majorities to oppress minorities—in the desires of the vicious and idle to make spoil of the accumulations, whether ample or limited, of industry, honesty and enterprise. These are among the dangers most formidable to constitutional rights and popular freedom, and these are the dangers which render a learned and uncor-

* Appendix, Note G.

rupt Judiciary an essential component part of every free government.

From this brief and necessarily imperfect commentary upon the practical effect of some of the leading provisions of the new Constitution, the article relating to amendments is too important to be excluded. The people of Rhode-Island, having determined to establish a Constitution which, as far as practicable, should perpetuate the institutions transmitted to them by their fathers, have wisely guarded that Constitution against the dangers of precipitate and disastrous innovation. They have placed no insurmountable obstructions in the way of such reforms as experience may indicate to be necessary. They have, however, rendered it somewhat difficult for any faction, however cunning or however turbulent, to break down any of the essential conservative provisions of the Constitution. The danger of all precipitate action, on the part of the Legislature, is excluded, and no organic change can be consummated, without the consent of a majority of three fifths of the people, voting thereon in their primary assemblies—thus ensuring the consent of an actual majority of the whole people.* These wise and salu-

* The article on amendments is as follows :—" The General Assembly may propose amendments to this constitution by the votes of a majority of all the members elected to each House. Such propositions for amendment shall be published in the newspapers, and printed copies of them shall be sent to the Secretary of State, with the names of all the members who shall have voted thereon, with the yeas and nays, to all the town and city clerks in the State. The said propositions shall be, by said clerks, inserted in the warrants or notices by them issued, for warning the next annual town and ward meetings in April ; and the clerks shall read said propositions to the electors when thus assembled, with the names of all the Representatives and Senators who shall have voted

tary provisions will protect our State against fierce political controversies touching the very foundations of the government under which we live. Under free institutions, the people must be expected to differ about men and measures of policy ; but the whole social order is in danger, the securities of life, liberty and property are in danger, whenever it becomes the fashion of the day to project changes in the fundamental law, and to effect those changes, by inflammatory appeals to the passions and interests of political parties.

MEN OF RHODE-ISLAND—I should be heedless of the sympathies of the hour, and of the pleasant stir which animates the whole population now assembled in this ancient town, did I, in behalf of all the men, women and children of Rhode-Island, neglect to thank the framers of the Constitution for preserving, essentially untouched, the venerable ordinance and custom of our fathers, relative to the time and place of holding the General Election. By the old Charter was it established and ordained, that “yearly, once in the year forever hereafter, namely, on every first Wednesday in the month of May, a General Assembly should be held at Newport, then and there to consult, advise, determine in and about the affairs and business of the Governor and Company of the En-

thereon, with the yeas and nays, before the election of Senators and Representatives shall be had. If a majority of all the members elected to each House, at said annual meeting, shall approve any proposition thus made, the same shall be published and submitted to the electors in the mode provided in the act of approval ; and if then approved by three fifths of the electors of the State present, and voting thereon in town and ward meetings, it shall become a part of the constitution of the State.”

glish Colony of Rhode-Island and Providence Plantations." Year after year, has this ancient custom and ordinance been observed by the good people of Rhode-Island. Year after year, have young and old, men and women, looked forward with pleasure to this festival season, as an occasion for renewing most grateful associations with the mighty and solemn past ; and likewise for infusing an element of fresh and innocent joy into the cares and occupations of common life. Year after year, have multitudes come hither, from island and from main, to witness the time-honored ceremonies of a Rhode-Island General Election ; to behold the emerald isle arrayed, at this season of vernal loveliness, in her most beautiful garments ; to repose amid her haunts of gentle beauty, or to hush their spirits into awe amid the sublimities of her ocean scenes. Unaffected by a rage for capricious innovation, and alive to the truth, that the moral power of any government depends, essentially, upon those sentiments of reverence and affection which are fastened in the general heart, the framers of our Constitution left the provisions of the Charter, in this matter, essentially unchanged. Much do I regret that it seemed necessary to change them at all. Much do I regret that the generous sympathies of this people, which, for so many generations, have flowed forth spontaneously on the first Wednesday in May, must, hereafter, be awakened on the first Tuesday of May. This, however, will ultimately prove no serious detriment to the enjoyment of the occasion. In an age, too, so eminently practical as the present, it is quite

too much to expect that the positive utilities of society should be postponed for the indulgence of those higher sympathies and tastes which are, in some sort, the grace and the ornament of our common nature. Grateful ought we to be that the General Election is still to be held *here*—and that the Election Day, though changed from what it was, still comes in the first week of this beautiful and merry month of May.

Fellow-citizens : The purposes for which we are assembled seem to require an unambiguous and fearless statement, though not with legal precision, and in consecutive order, of some of the mighty principles which we have perilled so much to maintain, and which, with the blessing of Almighty God upon our struggles, we have at last established.

Strange as it may appear, the real merits of THE RHODE-ISLAND QUESTION are imperfectly understood abroad. Many have, by the grossest and most systematic misrepresentations, been betrayed into the belief, that our controversy was a controversy between adverse political parties, for political power, and that our triumph, therefore, can claim no higher distinction than what belongs to a mere *partisan* triumph. You all know, my fellow-citizens, that for such a belief there is no foundation. You all know, that, in this great battle for constitutional freedom, no rival partisan banners were unfurled to the breeze ; —and you all feel, now that the battle is over, not that either this party or that has lost or won, but that the State which you love and honor has been rescued from the evils of revolutionary anarchy.

This is the secret of your deep and thoughtful joy—this is the crowning glory of your moral triumph!

Multitudes have, likewise, been betrayed into the belief that the question of Free Suffrage was mixed with the great issues which the people of Rhode-Island have recently decided. This misrepresentation, which prevails somewhat extensively abroad, has more effectually, than any other cause, opened for the revolutionary party “the source of sympathetic tears.” It should, therefore, be known that the freeholders of Rhode-Island had agreed to a system of almost unrestricted Suffrage, before any attempt was made to overthrow, by force, the existing government. Thus, was forever withdrawn from the catalogue of popular grievances even this poor apology for Revolution!

We have throughout contended for those principles of constitutional reform which are recognised by the Constitution of the United States, and which were recognised by our sister States, in forming their Constitutions, as essential to constitutional freedom. We have never denied any of the fundamental doctrines of popular right set forth in the Declaration of American Independence, and in the Constitutions of the several States; but we have repeatedly and unequivocally affirmed them. Never have we denied the right of the people to make and alter their constitutions of government—a right which “constitutes the basis of our political systems.” We have, however, contended that, where the people have adopted a Constitution which contains a provision for its own amendment, such Constitution must be amend-

ed or changed according to the mode established by itself. We have, moreover, maintained that where a Constitution provides no mode of amending itself, the people must effect the desired reform, through the agency of the Legislature, the representatives and the agents of the people. No other mode of changing constitutions of government can we admit to be "an explicit and authentic act of the whole people." No other mode of changing them can be rescued from the reproach of being revolutionary in its character—transcending, consequently, all law; and subjecting to the worst perils all the interests of a State, and all the safeguards of regulated liberty. The doctrine that the people, after having once embodied their will in a Constitution, or in a fundamental law, may alter or abolish such Constitution, or such fundamental law, "without law and against law," would, in its practical application, be fatal to popular liberty. It would leave the people without adequate means of resisting a factious majority, for even majorities may be factious, which might meditate the overthrow of the existing government. Nay more,—it would leave them to the tender mercies of a factious minority, who might *vote* themselves to be the *people*, and who, with arms in their hands, might easily control the legitimate expressions of the general will, and substitute for the voice of the *law* the voice of the *mob*. Once abandon the forms of law in this grave matter of making and altering constitutions of government, and you abandon all the principles of true constitutional reform. You precipitate yourselves into the vortex of

revolution, to maintain a doubtful struggle with the exasperated passions, and with the distempered energy of *revolution*.

At the commencement of the popular movement in this State, which ultimately terminated in a resort to force, the question of suffrage was drawn largely into discussion. We maintained then, and we maintain now, that the right of suffrage is a political and not a natural right; and that this important political right is to be established and regulated by the persons composing the body politic, and possessing the right to exercise political power, and according to *their* judgment of what the general welfare may demand. It will be seen, that, under the Charters of 1644 and 1663, the people of this State agreed to form one body politic. Neither of these Charters regulated the right of suffrage, or the admission of persons into the body politic. They left all power over this matter to be exercised by the representatives of the people. More than a hundred years ago, the people of this State, by their representatives, in the General Assembly, provided that none but freeholders should be entitled to the right of suffrage, or should be admitted members of the body politic, with the right to exercise political power. Those who admit the sovereignty of the people are bound to admit the right of the people of this State so to make and constitute this portion of their fundamental law. We have contended, and we contend still, that those only who possessed political power according to the provisions of this fundamental law, were, in a constitutional sense, the people of

Rhode-Island; that no other persons had a right to change the law, in this respect, or to exercise those constitutional powers which belong to the people. It was the people, *in this sense*, who, through their delegation in Congress, declared the independence of this State, in 1776. It was the people, *in this sense*, who in the year 1790, ratified, through their delegates assembled in Convention, the Constitution of the United States. Under all these circumstances, and after the lapse of half a century, it was reserved for sage politicians in 1841, to discover that Rhode-Island had not a *republican* form of government,* but was an *aristocracy* so oppressive as to justify a *Revolution*!† A Revolution by whom? Had those who by the fundamental laws of the State had no right to the exercise of political power, a right to destroy the body politic, that they might erect another upon its ruins? Whence did they derive this right? Not certainly from the law. The social compact makes no provision for such a right, and cannot recognise such a right. The law denies to all those who are not the legal people, the

* "The essential criteria of a government purely republican," says Alexander Hamilton, "are that the principal organs of the executive and legislative departments shall be elected by the people, and hold their offices, by a *responsible* and temporary or *defeasible* tenure." In Rhode-Island, under the Charter Government, not only were the Governor and both branches of the Legislature elected by the people, but the members of the House of Representatives were elected once in every *six months*!

† "That is revolution," says Daniel Webster, "which overturns or controls, or successfully resists the *existing* public authority; that which arrests the exercise of the supreme power; that which introduces A NEW PARAMOUNT AUTHORITY into the rule of the State." It will hardly be denied, that this was the precise object of those men who took up arms for the purpose of establishing the so called People's Constitution.

right to exercise any political power in the State. It must, therefore, *a fortiori*, deny their right to *revolutionize* the body politic. Have the members of the body politic the right to destroy the body politic? From whence do they derive it? Not certainly from the law—not from the social compact, for this is sacredly obligatory upon all, until changed, in some mode which can be recognised as the “authentic act of the whole people.”

Upon what is the right of revolution founded? Can aught save “a long train of abuses and usurpations,” justify a resort to revolution? A majority of those who possess the political power may oppress the minority, but it is preposterous to claim for the majority in a free State, the right of revolution. Whatever grievances they may chance to suffer, can be redressed at the ballot-box, and hence the ground of necessity, upon which alone such a revolution, as is here contemplated, can be justified, is excluded. In the late revolutionary movement which convulsed this State, were engaged men who, under the laws of the State, had no right to the exercise of political power. They endeavored to compel the body politic to receive them as members. Among these men were persons born in this State, and persons who came hither from abroad. What rights had the latter, beyond those which belong to an invader? In this same revolutionary movement were, likewise, engaged persons who were members of the body politic, and who sought to make themselves a majority of the people, according to the widest signification of that term, by an

alliance with those who had no legal right to political power. By this course, they could lawfully gain no political rights. As a minority of the people, what right had they to condemn the lawful action of the majority, because they might be unwilling to change their fundamental law? By seeking the alliance, and for such a purpose, of strangers and sojourners, they did violence to the laws and constitution of the State, and involved themselves in the guilt of rebellion and treason.

We have contended, and we still contend, that the People's Constitution had no validity, even admitting that it received the votes of 14,000 persons. Those who had no right to vote, could not gain a legal right by their own unlawful act. The votes, therefore, of all such persons, should be deducted from the aggregate of 14,000. Those who had a right to vote, had no right to vote but in conformity to the laws. Their action, being without law, could by no law be authenticated and made valid. But they acted against law, as well as without law, and conspired to overthrow the government. Such a course of illegal proceeding resulted, as was foreseen, in overt acts of treason and civil war.—That we have been saved from the terrific calamities incident to a state of anarchy, demands ascriptions of devout praise to Him who ruleth the spirit of man, and stilleth the tumult of the people.

I have thus attempted to set forth some of the most essential principles involved in the decision of THE RHODE-ISLAND QUESTION. They lie, as we believe, at the very foundation of all our systems of

popular government. Unless they can be sustained, and triumphantly sustained throughout these States, the day is not far distant when the American people will be summoned to such a conflict between REVOLUTION and LAW, as will make the whole land turn pale ! These principles are worth voting for ; they are worth fighting for ; if need be, they are worth dying for ! How disastrous to this State would have been our failure to vindicate them ! Under the rule of a revolutionary government, what interest or institution would have been safe from aggression ? What confidence would have been felt, at home or abroad, in the stability of a government established without law and against law ? What could have rescued the State from the dominion of successive factions ? Under the unmitigated popular despotism which was sought to be fastened upon us, how inevitable would have been the decline of all public spirit, and of all manly independence in individual character ! If, fellow-citizens, the men who sought, by force of arms, to overthrow the legal government of Rhode-Island, had consummated their purpose, we should have been not only oppressed, but dishonored. In what bitterness of spirit should we have deplored the baleful triumph of popular licentiousness and misrule ? Where, then, would have been “ that proud submission, that dignified obedience,” which a free citizen delights to yield to a government founded upon law, and devoted to the cause of rational liberty ? Who of us, in fine, would not then have felt that Rhode-Island had ceased to be his home—that his affections were fastened

to her only by those glorious recollections which give an undying interest to the past ?

MEN OF RHODE-ISLAND—Much do we all love this pleasant land where our fathers sought and found “freedom to worship God”—and where, through all the stages of her history, has been exhibited the most perfect pattern of an unmixed and orderly democracy, which the world hath yet seen. How much more should we love her, for the great tribulations through which she has, at last, reached the vantage ground of peace and liberty and honor ! Not a year since, and our little State was convulsed to its centre. How dark and wild was the tumult of revolutionary passions ! How many thoughtful spirits brooded in sadness over the woes which threatened to fall upon us ! In how many noble bosoms was formed the stern resolve to maintain, at whatever cost of treasure and of blood, the supremacy of the laws ! When, before this uproar of all our social elements, have any portion of our fellow-citizens been seduced from their allegiance to the government which protected them ? When, before this, my fellow-citizens, in the whole history of civil society, have demagogues so inflamed the passions of the people, that a reproach upon *landholders* has been welcomed as a sign wherewith to conquer ? Not for a single moment, could the men of Rhode-Island brook the thought of surrendering this inheritance of freedom, derived from heroic sires, to be trampled in the dust by lawless feet ! Not for a single moment, could they pause in their career, till the battle for Liberty and Law was won ! How de-

terminated was the spirit of patriotic resistance, even among the peaceful dwellers upon this island ! How fixed their purpose, that the soil which embosoms all that was mortal of the patriot Ellery and the gallant Perry,* should never be pressed by a rebel foot ! that these shores, which once listened to the philosophic wisdom of Berkeley, and woke to deep and eloquent rapture, the soul of Channing,† should never give back the shouts of a rebel host ! Never can the scenes of the last year fade from our recollections ! Never can we forget those memorable days which stirred, to their very depths, the spirits of this whole people—when the men of Rhode-Island, forsaking all common occupations, and banishing all common cares, rushed to the support of their government and the defence of their firesides.

“ High hung the rusting scythe awhile,
 And ceased the spindle’s roar ;
 The boat rocked idly by the isle,
 And on the ocean shore ;
 The belted burgher paced his street,
 The seaman wheeled his gun ;
 Steel gleamed along the ruler’s seat,
 And study’s task was done !”

“ Old Narragansett rang with arms,
 And rang the silver bay ;
 And that sweet shore whose girdled charms
 Were Philip’s ancient sway ;
 And our own island’s halcyon scene
 The black artillery sent ;
 And answered from the home of Greene,
 The men of dauntless Kent !”‡

Thus, in strains worthy of his theme, sung one of our own poets. These spirit-stirring scenes have

* Appendix, Note H. † Appendix, Note I. ‡ Appendix, Note J.

passed away. The tempest, which blackened our whole horizon, has left it to be spanned by the bow of promise, and to reflect the glories of an untroubled sky. Let us not forget, however, in this season of our joy, the solemn lessons taught us in the day of our calamity. How impressively do the events of the last year admonish us of the great danger to be apprehended from visionary theories, which, though ostensibly addressed to the understandings of the people, take the strongest hold of their passions, and which ultimately lead the people to the grossest misconceptions of their constitutional rights and social duties. Strange as it may seem, no inconsiderable portion of our fellow-citizens were deluded by wretched sophistries into a conviction that, in all their efforts to establish the People's Constitution, they were sustained by the example of our revolutionary fathers, and by the eternal principles of natural justice. The delusion did not expend itself upon their understandings. From the lips and the pens of false teachers, multitudes learned the captivating texts of sedition—their passions supplied the inferences. And yet more—in order to impart additional energy and ardor to the popular passions, demagogues, educated and uneducated, were incessant in the work of exasperating them by appeals the most artful and fervid. Thus did it come to pass, that, in Rhode-Island, where no man hitherto had dreamed of oppression, or meditated resistance to the laws, multitudes were persuaded to think themselves oppressed, and to rush madly for redress upon the portentous issues of a Revolution. The

sad experiences of the last year should, likewise, teach us not to confound the love of freedom, which never exists without producing the happiest effects, with that morbid ambition for uncontrolled political power which, whether raging in the breasts of individuals or of masses, threatens, especially in seasons of excitement, the worst evils to a State. The former, as has been justly remarked by a philosophical historian, will produce disturbances only when real evils are felt ; the latter frequently produces convulsions, independent of any real cause of complaint ; or, if it has been excited by such, it continues after it has been removed. “The one complains of what has been felt ; the other anticipates what may be gained ; disturbances arising from the first, subside, when the evils from which they spring are removed ; troubles originating in the second, magnify with every victory which is achieved. The experience of evil is the cause of agitation from the first ; the love of power the source of convulsions from the last. Reform and concession are the remedies appropriate to the former ; steadiness and resistance the means of extinguishing the flame arising from the latter.”*

The dangers, fellow-citizens, through which we have passed, should also impress more strongly upon every mind the conviction that those are the worst enemies of the people, who, under captivating names and false pretexts, violate the essential principles of all popular freedom. Without Law, and without a *reverence for Law*, a Democracy cannot exist ;—

* Vide Alison's History of Europe.

there can be no security for equal rights ; there can be no protection for the weak against the strong ; there can be nothing to save the few from the tyranny of the many ; nothing to shelter from the rapacious and the idle, the accumulations of honest industry—nothing, in short, to arrest the tendencies of society towards either the barbarism of savage life, or the repose of sullen despotism. *Law* and a *reverence for Law* are bound up in all our hopes of the future triumphs of the democratic principle. The friends and the foes of the existing forms of civil government in Europe, look, with intense solicitude, to the results of the mighty experiment now making in this country. This experiment, perhaps the grandest which, in the progress of society, hath ever been witnessed, will fail, if it be destined to fail, from a perversion of the true notions of liberty ;—from the relaxation, among the people and in their rulers, of those conservative principles, without which, in the absence of physical force, there can be neither freedom nor civilization. Be it our duty, therefore, Men of Rhode-Island, to discharge, faithfully, the sacred trust confided to our hands. The lines are fallen to us in pleasant places. We inhabit a territory which is unrivalled for salubrity—and which, in its physical characteristics, supplies the most ample facilities for a progressive advancement in social refinement. Numerous and densely peopled towns concentrate within themselves the means of high intellectual improvement—our rivers, ere they finish their course, furnish the motive power for extensive manufactures—and our bay, while it

facilitates the operations of commerce, embosoms islands of extraordinary agricultural capacity, and which recal to classic memories the far-famed beauty of the Grecian Isles.

Let not these benefits and blessings be lost upon us. While we gird ourselves for any fresh service in the cause of constitutional freedom to which we may be summoned, let us constantly aim to multiply for ourselves, and to spread far and wide, the means of increasing physical happiness; to secure to every man, by the strongest tenure, his rights under the Constitution and the laws; and to place within every man's reach the transcendant blessings of education and religion. Above all, let us beware how, amid the conflicts, and in pursuit of the objects, of party, we countenance any of those levelling or anti-social principles, which it is sad to think are propagated from high places in the land. Let us remember that, if we would walk abroad in the light of an exalted freedom, we must cultivate the spirit of an exalted freedom;—that vain will be our HOPE IN GOD, unless, as politicians and as men, we ANCHOR ourselves in the immutable and all-prevailing principles of HIS MORAL GOVERNMENT.

APPENDIX.

[Note A—Page 9.]

In this language there is no exaggeration. Bishop Berkeley, soon after his arrival at Newport, in the year 1729, spoke of Newport, in one of his letters to a friend in Dublin, as then containing "about six thousand souls, and as the most thriving place in all America, for bigness." In 1774, according to the census, taken by authority of the government, the population was 9,209, of which 1,246 were blacks. The number of persons, however, actually belonging to the town, at that time, is believed, and not without reason, to have been nearly or quite 11,000. This belief is founded on the fact that, in the British mode of taking a census, as then and now practised in the United Kingdom, temporary residents, strangers, &c., were excluded from the enumeration, which was confined to permanent settlers. This belief is also corroborated by the additional fact, that the colonial government was interested in bringing the population within the lowest limits, in order to reduce the requisitions in men and money, which, in time of war, were proportioned to the numbers returned. Of the 184 vessels which cleared at the Newport Custom House, from January 1, 1763, to January 1, 1764, on foreign voyages, and of the 352 in the coasting trade, two thirds, if not three quarters, belonged to Newport. These, with the fishing vessels, required a force of 2,200 seamen. Her merchants were princes. One of them, Mr. Aaron Lopez, of the Hebrew persuasion, owned, at one time, more than thirty sail of vessels, of different descriptions. The commercial prosperity of Newport was at its zenith, in 1769, or shortly before that period.

The manufactures of Newport were, at the same period, quite extensive. Besides numerous distilleries, there were, in the town, sixteen manufactories of sperm-oil and candles; five rope-walks; four sugar refineries, &c. The manufacture of sperm-oil was introduced into Newport by the Colony of Jews which arrived there, between the years 1745 and 1750. These Jews were all emigrants from Portugal.

The venerable Dr. Waterhouse, himself a native of Newport, in a newspaper article published in 1824, says: "The island of Rhode-Island, from its salubrity and surpassing beauty, before the Revolutionary War

so sadly defaced it, was the chosen resort of the rich and philosophic from nearly all parts of the civilized world. In no spot of the thirteen, or rather twelve colonies, was there concentrated more individual opulence, learning and liberal leisure." The Redwood Library is still a beautiful monument of the former wealth, learning and public spirit of Newport. This library owes its origin to a literary and philosophical Society established in Newport, in the year 1730. This Society was composed of the most eminent men of Newport, and in its discussions, Berkeley, the intimate friend of some of its members, was accustomed to participate.

Among the former inhabitants of Newport, were about three hundred of the children of Abraham, embracing some of her most enterprising and opulent merchants. "Newport," says Dr. Waterhouse, "was the only place in New-England, where the Hebrew language was publicly read and chanted by more than three hundred of the descendants of Abraham." Their synagogue, built in 1762, remains, but not a solitary worshipper is left behind.

In the vicissitudes of human affairs, Newport has declined from her ancient wealth and splendor; but, within her and around her, are left sources of enjoyment, which mock the power of time and of change—the living spirit of beauty which pervades her hills and vales—the eternal sublimities which dwell around her shores!

[Note B—Page 18.]

Dr. John Clarke was born Oct. 8, 1609, and, as is believed, in Bedfordshire, England. Before he came to New-England, he was a practising physician in London. He was the original projector of the settlement on Rhode-Island, in 1638, and was subsequently one of its ablest legislators. In 1644, he formed a church in accordance with the principles of the Baptists, and, uniting the professions of a clergyman and physician, he continued to perform the duties of pastor of that church, till 1651, when he was despatched, with Roger Williams, to England, to procure the abrogation of the Charter which Mr. Coddington had obtained, and which gave him the control of the island. After they had accomplished this object, Roger Williams returned to Rhode-Island, leaving Mr. Clarke sole agent of the Colony in England. He was present at the Restoration of the Stuarts, and so far as any one, this side of the Atlantic, was instrumental in procuring the Charter of 1663, Clarke, it would seem, must have been the man to whom that honor is fairly due. He was a learned man, and if he did not himself draught that Charter, he probably sought and obtained the best legal assistance in preparing an instrument which was to pass the great seal. After his return from England, in 1663, he was elected, three years successively, Deputy-Governor of the Colony. He is stated to have been the first regularly

educated physician who ever practised in Rhode-Island ; and all the records of his life show him to have been an able, pious and disinterested man. He maintained his pastoral relation to the church which he founded, till he died, April 20, 1676, aged 66 years. He was buried on his own lot, on the west side of Tanner street, in Newport.

[Note C—Page 18.]

This venerable document may be found prefixed to every digest of the statute laws of Rhode-Island, and is embodied in every collection of the Constitutions of the several States. It empowered the people of Rhode-Island to choose all their officers, legislative, executive and judicial, and invested in them or in their delegates, all the high powers of legislation and government. So democratic was the Charter deemed to be, both in its letter and spirit, that doubts were entertained in England, whether the king had a *right* to grant it ! In a very able Report on the subject of an Extension of Suffrage, submitted to the Legislature of this State in June, 1829, by the late Benjamin Hazard, Esq., the merits of the Charter are made the theme of the following just and animated encomium, which will meet a response from the heart of every true Rhode-Island man :—" It is not the less our Constitution, because its name furnishes a theme for cavillers. The people have always held it as their Constitution ; and have more than once manifested their satisfaction with it. It was framed and agreed upon, as it purports to have been, by the purchasers, proprietors and settlers of the State ; and its character, as their work, was not at all changed by its having been put into the form of a charter. At that time, the people, being colonists, could not avoid submitting to have the usual reservations expressive of the royal prerogative, engrafted into it ; but, independent of these appendages, it was wholly the work of the people, and was purely republican. The whole power of self-government was in their own hands. No Constitution, before or since the Revolution, has been framed, none can be framed, more free and popular. Our separation from the mother country perfected this Constitution, by cancelling the conditions and reservations under which we held it, and leaving the work of the people entire. Let strangers, if they please, treat this instrument with levity, and hold it up as a reproach to the State, for the sage reason that it was originally a *charter* ; but let us continue to be proud of it, as a lasting monument of the free, manly and enlightened spirit of our fore-fathers, who could, at so early a day, and while colonists, frame, adopt and obtain the confirmation of a constitution of self-government so perfectly republican ; and by which all the natural, civil and political rights and privileges of themselves and their posterity were so amply and completely asserted and secured."

[Note D.—Page 20.]

The Charter granted, in 1764, by the General Assembly of the Colony of Rhode-Island to Rhode-Island College, now Brown University, although it secures to the Baptists the control of the College, recognises, repeatedly, and in the most unequivocal terms, the grand principles of religious freedom, for which Rhode-Island, through every stage in her social progress, has resolutely contended. This Charter not only forbids all "religious tests," but it guarantees to every member of the University "full, free, absolute, and uninterrupted liberty of conscience." It also enjoins that "the sectarian differences of opinion shall not make any part of the public and classical instruction; although all religious controversies may be studied freely, examined and explained by the President, Professors and Tutors, in a personal, separate, and distinct manner, to the youth of any or each denomination." The Statutes of the College are framed in accordance with the spirit of the Charter. So long ago as 1783, those students who regularly observed the *seventh* day as the Sabbath, were exempted from the operation of the law which required every student, as a moral duty, to attend public worship on the *first* day of the week. Those who steadily attended the *Friends'* meeting were expressly "permitted to wear their hats within the College walls," &c., and "young gentlemen of the Hebrew persuasion," were formally exempted from the operation of the law which commanded, on penalty of expulsion, that no student should deny the divine authority of the Old and New Testament. And yet more—in 1770, the Corporation of the College declared, as would appear from their Records, that "the children of Jews may be admitted into this Institution, and entirely enjoy the freedom of their own religion, without any constraint or imposition whatever." Although these provisions of the Charter, and of the Statutes of the College, may fall somewhat short of that "full liberty in religious concerns," for which Roger Williams contended, yet they manifest a delicate regard for the rights of conscience, for which, it is believed, hardly a parallel can be found in the history of similar Institutions.

 [Note E.—Page 23.]

It cannot fail to be regarded as a somewhat significant fact that the revolutionary spirit which, during the last year, threatened this State with anarchy, was confined mainly to the county of Providence, and to those towns in that county where extensive manufacturing establishments had concentrated masses of people, many of them not natives of Rhode-Island, and most of them especially liable to become the dupes of designing politicians. The agricultural town of Foster, throughout the whole agitation, was sound to the core; and Scituate, though subjected to many trials, maintained her integrity to the last. The county of Kent, as the

result proved, was found eminently faithful to the laws. The fidelity of her agricultural townships was never even doubted. In the counties of Washington, Newport, and Bristol, where the agricultural interest is not overborne by a fluctuating manufacturing population, the standard of insurrection found comparatively few recruits. These portions of the State are inhabited almost exclusively by Rhode-Island men, born and bred upon the soil which they both know how to cultivate and to defend.

[Note F—Page 25.]

These eminent citizens sustained, for so many years, an intimate relation to the Charter government, that the following biographical memoranda respecting them, will not, in the present connexion, be deemed inappropriate.

HON. JAMES BURRILL, LL. D., was born in Providence, April 25, 1772. He was graduated at Rhode-Island College, in 1788, when only sixteen years old, and having obtained his professional education under the late Hon. Theodore Foster and David Howell, commenced, at the early age of nineteen, the practice of the law in his native town. In 1797, at the age of twenty-five, he was elected, by the Legislature, to the office of Attorney-General, vice the Hon. Ray Greene, appointed a Senator in the Congress of the United States. So decided were his professional merits, and so strong was his hold upon the public favor, that, amid all the competitions of party, he was annually re-elected Attorney-General, till, after a laborious service of about sixteen years, he was compelled, by delicate health, to retire from office, in the year 1813. With the law of the State which requires the Attorney-General to "give his attendance at the General Assembly," Mr. Burrill never failed punctually to comply. By him were draughted many of the most important statutes which were enacted by that body, while, in virtue of his office, he participated, to a certain extent, in the legislative counsels of the State. In June, 1813, he was returned as one of the four Representatives in the General Assembly from the town of Providence; and, in May 1814, he was elected Speaker of the House of Representatives, the duties of which office he discharged with distinguished ability. In 1816, he was elected Chief Justice of the Supreme Court of Rhode-Island; and, a few months afterwards, a Senator in Congress. He attended only four sessions of that body, his valuable life having been prematurely terminated by a pulmonary disease, December 25, 1820, in the forty-ninth year of his age. His remains were interred at Washington, in the cemetery appropriated to members of Congress, &c. His death created a sensation of profound regret among his constituents; and, at the request of the Providence Bar, the Hon. Tristram Burges pronounced a Eulogy upon the life and character of their eminent associate. Rhode-Island has given birth

to few men so distinguished as was Mr. Burrill, for intellectual gifts and acquirements. A more able and successful advocate, our courts, it is believed, have never known; and the high reputation which he was not slow to acquire at Washington, may be deemed no unequivocal proof of his talents as a statesman and as a parliamentary debater. Mr. Burrill, however, did not confine himself either to law or to politics. His reading was various and extensive, especially in the department of elegant literature; and so retentive was his memory, that he seemed able to command, at pleasure, even the acquisitions of his desultory hours. No man enjoyed, with keener relish, the characteristic beauties of the literature of England; and no man, in ordinary conversation, brought to bear upon whatever topic might happen to be introduced, a greater variety of interesting facts, or unambitiously poured himself out in a strain of more instructive remark. Like many distinguished lawyers, he seldom or never used his pen, except in the discharge of his ordinary professional duties. Hence he neglected, perhaps, the most efficient means of transmitting to posterity those impressions of intellectual power which eminent men leave upon the minds of their contemporaries.

The Hon. SAMUEL EDDY, LL. D., was born in Johnston, R. I., March 31, 1769. He was a graduate of Brown University, in 1787, and was a classmate of Dr. Maxcy, subsequently the President of that Institution, with whom he maintained a long and cordial friendship. He read law with the Hon. Benjamin Bourne, and was afterwards his co-partner in the practice of the law, in Providence. In 1790, he was chosen, by the General Assembly, Clerk of the Supreme Judicial Court for the county of Providence, to which office he was annually re-elected for three years. In December, 1797, he was elected, by the General Assembly, Secretary of State, in the place of Henry Ward, Esq., deceased; and to that office he was annually re-elected, by the people, *without opposition*, till May, 1819, when he declined a re-election. On his retirement from the Secretaryship of State, the General Assembly unanimously voted their thanks to him, "for his distinguished talents and ability manifested in the discharge of the duties of said office, for more than twenty years."

This long term of official service embraced a period of extraordinary excitement in the politics of the country, and of the State. To the praise of Mr. Eddy, however, and not less to the credit of the people, it should be remembered that no attempt was ever made to remove him from an office, the duties of which he performed with signal ability, and, amid all the changes of party, with an impartiality which disarmed opposition. While his distinguished contemporary, James Burrill, the Attorney-General, attended, year after year, the sittings of the General Assembly, occupying, according to usage, a seat near the Chair of the Speaker of the House, Mr. Eddy being considered, in virtue of his office, as Secre-

tary of the Senate, likewise attended, year after year, the sittings of the Assembly, and was seated at the same Board with the Governor and Senate. This duty sometimes involved something beyond the mere exercise of clerical skill and quiet diligence. The Senate being composed, nearly at all times, of gentlemen not bred to the law, some imperfections in statutes, whether originating in the Senate, or passed by the House, might very naturally be expected to escape detection. The clear discernment and the professional knowledge of the Secretary were, however, always at their command; and, though never obtrusively tendered, they were never perversely withheld.

On the occasion of his relinquishing the office which he had so long held, Mr. Eddy made the following interesting private record: "May 5, 1819. This day terminated my duties as Secretary of the State. I have the satisfaction to believe that, in the discharge of my official duties, I have been free from partiality. I have never knowingly received more than my lawful fees, and no man's business has been refused, or left undone, for want of money."

At the August election, in 1818, Mr. Eddy was elected one of the two Representatives in Congress, from Rhode-Island. To this station he was twice re-elected, and was hence a member of the national councils for six years, from 1819 to 1825.

In May, 1827, upon the re-organization of the Supreme Court, he was appointed Chief Justice, and was annually re-elected till June, 1835, when sickness compelled him to retire forever from public life.

Judge Eddy, throughout his long and useful life, was diligent in the cultivation of his intellectual powers. At one period in his career, his attention was almost exclusively directed to studies connected with the evidences, doctrines and duties of religion. Few laymen more carefully investigated these high matters, or acquired, respecting them, a larger amount of valuable learning, both practical and critical. At a subsequent period, he devoted no small portion of his leisure hours to the acquisition of some of the physical sciences. With youthful ardor, he pursued the study of geology, mineralogy, and more especially of conchology, and the collections which he made to illustrate those sciences are creditable to his industry, taste and knowledge.

Judge Eddy was no debater, but he was an excellent writer. He loved the English language, in all its Saxon vigor, and purity, and expressiveness; and in practice he was careful to exclude those innovations which the modern taste seems inclined to countenance.

Last of all, Judge Eddy was a Rhode-Island man, "after the straitest of the sect." No man was more firmly attached to the principles of Roger Williams, in relation to religious concerns; and no man was more familiar with the history of the State, or more highly prized the blessings of regulated liberty, enjoyed under the Old Charter. He died at his mansion house, in Providence, February 3, 1839, aged 69 years.

The Hon. ELISHA REYNOLDS POTTER was born at Little-Rest, now Kingston, in the town of South-Kingstown, (R. I.) November 5th, 1764. In the year 1778, when only sixteen years of age, he enlisted, as a private soldier, for the purpose of joining the Expedition commanded by General Sullivan. Before, however, he was called into active service, Rhode-Island was evacuated by the American troops. Mr. Potter was a self-made man, and, throughout his long life, he exhibited those striking characteristics which are most strongly developed in those who are obliged to carve their own way to distinction. Early in life, he became an apprentice to a blacksmith, and worked at that useful occupation sufficiently long to become somewhat expert in its various labors. This occupation, however, was not destined to be the business of his life. His academical education, like that of most men who, at that period, entered into life, under similar circumstances, was far from complete. Some of the elementary studies he pursued, for a time, at Plainfield, (Conn.) under the instruction of Mr. Daboll, whose arithmetic, forty years ago, was a favorite text-book in our common schools. For the exact sciences he had quite a taste, and in some of the less difficult branches, he made, considering his opportunities, respectable proficiency.

That portion of his professional education which Mr. Potter did not owe to himself, he acquired under Matthew Robinson, a celebrated lawyer, who removed from Newport to Narragansett, in 1750, and there resided till his death, in 1795. He continued to practise law, till he reached the age of about forty years, when the fascinations of political life withdrew him from the business of the Courts. As an advocate, he was successful, although he was often obliged to contend with Robinson and Bourne, and Bradford, then distinguished practitioners at the Rhode-Island Bar. Mr. Potter's last forensic effort was before the Supreme Court of the United States, at Washington, not many years before his death, when he made the opening argument in a case of his own, and was followed by Mr. Wirt, in the close. Most of this argument he committed to writing.

In April, 1793, Mr. Potter was first elected a Representative to the General Assembly—destined to be, with few interruptions, the scene upon which he was to exhibit his extraordinary powers, for more than forty years. He continued to represent his native town in the Legislature, till October 1796. In November of that year, he was elected a Representative in the 4th Congress, in the place of Judge Bourne, who had resigned his seat. He was, at the same time, chosen to the 5th Congress, in the place of Judge Bourne, who had been elected, and had declined. Mr. Potter likewise resigned his seat, before his term of service had expired, and returned home. Hon. Christopher G. Champlin was his colleague.

In August 1798, he was again returned to the General Assembly from South Kingstown, and there he remained, till in 1809 he was again elected a Representative in Congress. He continued in Congress, with his colleague, the late Hon. Richard Jackson, for six years, when they both declined a re-election.

In August 1816, Mr. Potter was again elected a member of the General Assembly; and, thenceforward, he was re-elected semi-annually till his death, except in April 1818, when, being a candidate for the office of Governor, he could not become a candidate for the inferior office. Although he lived in times of high political excitement, and, as a politician, was never required to define his position, yet so prevailing was his personal influence, that he was never opposed but twice, as a candidate for the Legislature. In both of these contests, which were extremely ardent, he succeeded by decided majorities. During his long term of service in the General Assembly, Mr. Potter was five times elected Speaker of the House—in October 1795, May 1796, October 1796, May 1802, and October 1808.

Perhaps no political man in this State, ever acquired or maintained, often amid many adverse circumstances, a more commanding influence. This influence was the result, mainly, of his powers and qualities as a man; of his rare natural endowments—his intuitive perception of character—his large acquaintance with the motives, principles and passions which belong to human nature, and determine the conduct of men. He was not a favorite of the mass of the people, for, politician though he was, he neglected many of the most effective means of winning popularity. Over the minds, however, of those, whether friends or foes, to whom in political concerns the people are wont to look for direction, he always exerted an extraordinary influence. When a member of Congress, from 1809 to 1815, he did not, like most members of his party, during that stormy period, sever himself from all familiar associations with his antagonists. On the contrary, he mingled freely with them, and though he never exposed to suspicion his fidelity as a politician, he won them to an easy and generous confidence in the virtues of the man.

After his retirement from Congress, Mr. Potter maintained an extensive correspondence with those leading politicians at Washington, whose political sympathies were in harmony with his own. He seldom wrote for the newspapers, except under his own signature; but at different times he put forth pamphlets intended to influence the politics of the day in Rhode-Island. Though he was unskilled in the art of composition, yet he always expressed himself with clearness and vigor; causing the strong conceptions of his strong mind to fall with decided effect upon the minds of others.

During his long legislative career, Mr. Potter seldom or never made speeches which were the work of premeditation. He never spoke, however, without finding willing listeners and producing a strong effect. He was always forcible, and at times he was eloquent. When, more especially, the warm current of his kindly emotions had acquired a quicker flow, by some appeal to his sympathies as a man, his gigantic frame would almost tremble with agitated sensibilities. When the unfortunate asked for relief, or when the guilty sued for pardon, the statesman was lost in the man. On such occasions, he has been known to pour

forth a strain of uncultivated and powerful eloquence, which came from the heart and went to the heart.

Although Mr. Potter was, for so many years, an active and prominent politician, yet he was not unaccustomed, at intervals, to look for pleasure and instruction to some of the master spirits of English literature. Of Shakspeare, he was particularly fond, attracted, doubtless, by the marvellous knowledge of the springs of human action, which is discovered by that unequalled dramatist.

Mr. Potter loved his native State with genuine ardor, and no man was more indignant when either her rights were invaded or her honor assailed. Had he lived to witness the trials through which she has just passed unhurt, he would have put forth all the energies of his mind, and all his influence as a politician, in vindication of the majesty of the laws and the rights of the people.

Mr. Potter departed this life at his residence, in Kingston, September 26, 1835, aged 70 years.

HON. BENJAMIN HAZARD was born in Middletown, the town which adjoins Newport, Sept. 18, 1770. He was graduated at Brown University, in 1792. After studying law with the late Hon. David Howell, at that time a distinguished practitioner in Providence, he was admitted to the Bar, in the year 1796, and commenced the practice of his profession in the town of Newport. For several years, Mr. Hazard did not occupy himself seriously with the business of the courts, but he failed not in the end to acquire, and he maintained to the last, a distinguished rank at the Bar of his native State. At the August election, in 1809, he was first elected a Representative from the town of Newport, a vacancy having been created in the delegation, by the election to the Senate of the United States, of the late Hon. Christopher Grant Champlin. Mr. Hazard's colleagues from Newport, were at that time, George Gibbs, William Hunter, John P. Man, John L. Boss, Stephen Cahoon—none of whom, except Mr. Cahoon, the present General Treasurer, and Mr. Hunter, the American Ambassador at Brazil, are now among the living upon earth. The duties of this station, he continued to discharge with eminent ability, for the term of thirty-one successive years. From Oct. 1816, to May 1818, he presided over the deliberations of the House. At the August election, in 1840, he declined a re-election, and retired from public life. In accordance with a provision of the royal Charter, so democratic as to be without precedent, the election of Representatives to the General Assembly was required to be made twice in every year. Thus was Mr. Hazard subjected, in the course of his public life, to the ordeal of sixty-two popular elections! The confidence which his townsmen early reposed in him, was never withdrawn. Amid all the fluctuations of party, he was re-elected, generally, though not in all cases, without opposition. Rarely, in New-England, is it the fortune of a public man to command, from the same constituents, and under similar circumstances,

a confidence so long and so uninterruptedly continued! Mr. Hazard felt himself at home in the General Assembly. There, and not in our courts or primary assemblies, did he put forth with the most effect the uncommon powers with which he was gifted. His talents for debate would have won for him no mean rank, even in the highest deliberative body in our country. The tricks of oratory—the artificial embellishments of rhetorick—he seemed to scorn—but, if his aim were either to support or to defeat a measure, no man was a more skilful master of the language and of the style of argument required for his purpose. No man more clearly comprehended, and at times more ably defended, the true merits of a public question. No man, too, it should be added, better knew how to perplex his adversaries by subtle objections, or to wither them by caustic sarcasm. Mr. Hazard was fond of reading. In my last interview with him, not many months before his death, he spoke, with great animation and emphasis, of his relish for Shakspeare, Sir Walter Scott, and Dean Swift. His predilection for the latter, will not surprise those who recal to memory the celebrity of Swift, as a politician, and the wonderful influence which, by the peculiar character and direction of his intellect, he obtained over the popular mind. Mr. Hazard could boast a true Rhode-Island lineage, and he was, in spirit, a genuine Rhode-Island man—attached to the old Charter, and to all the institutions which grew up under it. The Report on the Extension of Suffrage, made by a Committee of which he was Chairman, in the year 1829, is characterised by unusual ability. It is among the very few productions of his pen to which he attached his name, and, in style and argument, may, perhaps, be deemed one of the best specimens of his peculiar powers. He died at Newport, March 10, 1841, aged 69 years.

[Note G—Page 35.]

In connexion with these topics, I must be pardoned for introducing the following passages from an admirable Address, delivered in July 1841, before the Literary Societies of William and Mary College, in Virginia, by Judge Upshur, the present Secretary of the Navy. If every public man uttered such sentiments, there would be less reason for solicitude in regard to the coming destinies of the Republic:

“It is the very object and purpose of a constitution of government to secure the rights of all; so to surround them with guards and protections that every class and every individual may be safe from the encroachments of others. This, then, is the *principle* of free government. When the equal rights of all men are thus brought within the protection of the constitutional charter, the next step is to provide the requisite *power* for ensuring that protection. And here it is, that the true claim of the majority is found. It is by their will that the *powers* of government are to be wielded; but *rights* are in the frame of government itself, and so

long as that frame is permitted to stand, those rights are secured in every individual against, not a majority only—but against *all* the other members of the community. We should be careful then to distinguish between the rights and the powers of government. The first are as perfect and as sacred in the individual as in the aggregate whole; the second, only, are yielded to the majority. But they are not yielded to the arbitrary discretion of that majority, for this would be in effect, to concede the right along with the power. The majority are merely the depositaries of the power of the whole, to execute the will of the whole, as that will is expressed in the frame of the government. To this extent, the will of the majority ought to prevail: and whatever it does beyond this, is of the nature of usurpation and tyranny.”

“This claim of absolute and unlimited power in the majority, is the first step in the downward progress of liberty. It is a claim which the unreflecting are very apt to allow, because it is preferred in the very name of liberty. There is something generous and self-sacrificing in yielding to the will of the greater number. We do so from impulse, without pausing to reflect on the grasping character of power and the fatal tendencies of a principle which submits the rights of social man to the caprices of the multitude. From this source has sprung agrarianism, that seeks to give idleness and vice the hard earnings of industry and virtue; the levelling principle, which seeks to bring down all that is good and wise to the grade of ignorance and profligacy; the natural rights doctrine, that overlooks all social obligations, denies the inheritable quality of property, unfrocks the priest and laughs at the marriage tie. As soon as you have conceded the *powers* of government, the *rights* are claimed also. The majority are admitted to possess the power of moulding the government at their will; those who imposed restraints may take them away. True, there is a form in which alone, this can be legitimately done; a process that requires time, and which may thus cool the ardor of innovation, and give wisdom a chance to arrest the career of folly. But forms, also, are claimed to be within the absolute power of the majority. They soon come to be regarded as obstacles to the fair course of the popular will, and are swept away as the mere embarrassments of freedom. The people are taught to think that, as all power is with them, they have a right to do directly, what they have a right to do indirectly; and that as the forms of government are but the channels through which their will is expressed, it is enough that their will is known; and forms are therefore unnecessary. The facility thus afforded, invites into action all the vices which the restraints of government held in check; and the first objects of their attack are the virtues which put them to shame. The numerical majority assert the kingly prerogative, and by virtue of their royal and absolute power, strike down the rights of property, legalize rapine, overturn all government, and drink health to confusion! The Jack Cade with many heads, reeling in

the intoxication of power, and striding over every prostrate right, issues his royal edict, that "there shall be no law when he is king!!!"

"The worst enemy of rational liberty is the demagogue. He is, and ever has been, the bane of free States. He begins by flattering the people, and ends by betraying them. It is from him, that they learn to despise all the restraints which they themselves have imposed. He persuades them to think that their voice is the voice of God, and that their power can secure the blessings of a sober and chastened liberty, amid the riot of a licentious freedom. If they do not die in this delusion, they wake from it, in slavery and chains. The voice of the people is the voice of God, only when it echoes back the precept which stays the arm of violence, and covers with the shield of divine justice, the rights of social man."

[Note H—Page 48.]

William Ellery, one of the illustrious signers of the Declaration of American Independence, was born in Newport, Dec. 22, 1727. There he passed the whole of his long life, except when absent in the public service; and there he died, Feb. 15, 1820, in the 93d year of his age. His grave is not among the least interesting memorials of by-gone times to be found at Newport.

Oliver Hazard Perry, who at the age of 27 years, achieved the victory of Lake Erie, was born at South-Kingstown, Aug. 23, 1785. He died at Port Spain, Trinidad, Aug. 23, 1819, aged 34 years. His remains were conveyed to his native land, in a ship of war, according to an act of Congress, and were interred at Newport, which had long been his home, Dec. 4, 1826. A neat granite monument, bearing an appropriate inscription, has been erected by the State of Rhode-Island, to indicate the spot where sleep the ashes of one of the most heroic of her sons.

[Note I—Page 48.]

The celebrated GEORGE BERKELEY, D. D., Dean of Derry, and afterwards Bishop of Cloyne, was born in Ireland, in the year 1684. Intent on the conversion of the American savages to Christianity, by the establishment of a College in the Bermuda Islands, he arrived at Newport, with his family and several literary and scientific gentlemen, January 23, 1729. In a short biographical sketch of Bishop Berkeley, prefixed by the Rev. Dr. Elton, of Brown University, to his edition of Callender's Century Sermon, may be found the following interesting particulars concerning the Bishop's residence on Rhode-Island: "Soon after his arrival, the Dean purchased a country seat and farm about three miles from Newport, and there erected a house which he named Whitehall. He was admitted a freeman of the Colony at the General Assembly in 1729. He

resided at Newport about two years and a half, and often preached at Trinity Church. Though he was obliged to return to Europe, without effecting his original design, yet his visit was of great utility in imparting an impulse to the literature of our country, particularly in Rhode-Island and Connecticut. During his residence on the island of Rhode-Island, he meditated and composed his *Alciphron*, or Minute Philosopher, and tradition says, principally at a place, about half a mile southerly from Whitehall. There, in the most elevated part of the Hanging Rocks, (so called,) he found a natural alcove, roofed and opening to the south, commanding at once a beautiful view of the ocean and the circumjacent islands. This place is said to have been his favorite retreat."

The learned Dean repeatedly visited Narragansett, and so enraptured was he with the prospect from Barber's heights, in North Kingstown, that he expressed a desire to select it as the site for his projected College. Failing in his favorite plan, he returned to England, in 1733, and died at Oxford, in 1753, in the 73d year of his age.

The organ presented by him to Trinity Church, Newport, after his return, is still in constant use, and is among the most interesting objects in that venerable edifice.

WILLIAM ELLERY CHANNING, D. D., was born in Newport, in the year 1780. There he passed the scenes of his early boyhood, and there, or rather at a beautiful retreat only a few miles distant from the town, he was accustomed, in his riper years, to seek health and repose, during the heats of summer. The influences of the scenery of the island, in moulding the spirit of Dr. Channing, are most eloquently described in the following passage from a Sermon on "Christian Worship," preached by him at the dedication of a Church, in Newport, July 27, 1836 :

"As my mind unfolded, I became more and more alive to the beautiful scenery which now attracts strangers to our island. My first liberty was used in roaming over the neighboring fields and shores ; and amid this glorious nature, that love of liberty sprang up, which has gained strength within me to this hour. I early received impressions of the great and beautiful, which I believe have had no small influence in determining my modes of thought and habits of life. In this town I pursued, for a time, my studies of theology. I had no professor or teacher to guide me ; but I had two noble places of study. One was yonder beautiful edifice, [the Redwood Library,] now so frequented, and so useful as a public library, then so deserted that I spent day after day, and sometimes week after week, amidst its dusty volumes, without interruption from a single visitor. The other place was yonder beach, the roar of which has so often mingled with the worship of this place, my daily resort, dear to me in the sunshine, still more attractive in the storm. Seldom do I visit it now without thinking of the work, which there, in the sight of that beauty, in the sound of those waves, was carried on in my soul. No spot

on earth has helped to form me so much as that beach. There I lifted up my voice in praise amidst the tempest. There, softened by beauty, I poured out my thanksgiving and contrite confessions. There, in reverential sympathy with the mighty power around me, I became conscious of power within. There struggling thoughts and emotions broke forth as if moved to utterance by nature's eloquence of the winds and the waves. There began a happiness surpassing all worldly pleasures, all gifts of fortune, the happiness of communing with the works of God. Pardon me this reference to myself. I believe that the worship, of which I have this day spoken, was aided in my own soul by the scenes in which my early life was passed. Amidst these scenes, and in speaking of this worship, allow me to thank God, that this beautiful island was the place of my birth."

This pure and highly gifted man died, while on an excursion for the benefit of his health, at Bennington, Vermont, October 2, 1842, aged 62 years.

[Note J—Page 48.]

The whole of the beautiful and spirited lyrical effusion, from which I have quoted two stanzas, deserves to be embodied in a form less ephemeral than the pages of a newspaper. It was first published in the Providence Journal, of July 15, 1842, and is from the pen of the REV. GEORGE BURGESS, A. M., a native of Providence, (R. I.) and now Rector of Christ's Church, (Hartford, Conn.) The Notes which I have added, are intended to explain allusions which might otherwise be obscure to people abroad.

O gallant land of bosoms true,
 Still bear that stainless shield !
 That anchor clung, the tempest through ;
 That hope, untaught to yield !
 Fair city, "all thy banners wave,"
 And high thy trumpet sound !
 The name thy righteous father gave,
 Still guards thee round and round !

No thirst for war's wild joy was thine,
 Nor flashed one hireling sword :
 Forth, for their own dear household shrine,
 The patriot yeomen poured ;
 There, rank to rank, like brethren stood,
 One soul, and step, and hand ;
 And crushed the stranger's robber-brood,
 And kept their father's land.*

* The first and second stanzas refer to the noble determination of the citizen soldiers of Providence, and of the gallant yeomen who came to their aid, to rescue that city from the ignominious and most calamitous fate, which would have befallen her, had the forces of the Insurgents, embodied at Chepachet, been triumphant.

High hung the rusting scythe awhile,
 And ceased the spindle's roar,
 The boat rocked idly by the isle,
 And on the ocean shore ;
 The belted burgher paced his street ;
 The seaman wheeled his gun ;
 Steel gleamed along the ruler's seat,
 And study's task was done !

Old Narragansett rang with arms,
 And rang the silver bay,
 And that sweet shore whose girdled charms
 Were Philip's ancient sway ;
 And our own island's halcyon scene
 The black artillery sent ;
 And answered, from the the home of Greene,
 The men of dauntless Kent !*

Can freedom's truth endure the shock
 That comes in freedom's name ?
 Rhode-Island, like a Spartan rock,
 Upheld her country's fame !
 The land that first threw wide its gates,
 And gave the exile rest,
 First arms to save the strength of States,
 And guards her freedom best.

O ever thus, dear land of ours,
 Be nurse of steadfast men !
 So, firmer far than hills and towers,
 Or rocky pass and glen !
 For peace alone, to dare the fight ;
 The soldier for the laws ;
 Thine anchor fast in Heavenly might,
 Thy hope, an holy cause !

* The third and fourth stanzas are exactly descriptive of the state of things in Rhode-Island, during the last week in June 1842. All the common occupations of life were suspended ; and troops, composed of infantry and artillery, promptly repaired to Providence, from the county of Washington, (Old Narragansett) and from the counties of Newport, Bristol and Kent. Sentinels were stationed in the most frequented streets of Providence ; an efficient company of seamen, the "Sea Fencibles," was organized ; the Legislature adjourned, for the purpose of allowing the members to proceed to the scene of conflict ; and such confusion reigned in the city, that the studies in the University were suspended, till Commencement.

HISTORICAL MEMORANDA.

Our ancestors, when they settled in this State, incorporated themselves into a body politic, and, by unanimous agreement, ordained and declared their government to be a "*democracie*," or popular government. They, at the same time, adopted a resolution that "none should be received as inhabitants or freemen, but by consent of the body." Of those who came hither from abroad, they admitted such as "upon orderly presentation were found meet for the service of the body, and no just exception found against them." None but those who were regularly admitted freemen

were allowed to take any part in the affairs of the government; although it is certain that many of the inhabitants were not freemen, or qualified electors. It appears from the early colonial records, that persons were not unfrequently "*disfranchised* of the privileges and prerogatives belonging to the body politick," and that, in some cases, they were "*suspended* their votes till they had given satisfaction for their offences." The persons thus disfranchised were not unfrequently, re-admitted, and the early records likewise show that the "censure of suspension" was not perpetual.

The Charter of King Charles II. contains no provision defining or regulating the right of suffrage. It simply empowered the General Assembly to choose such persons as they should think fit "to be free of the said Company and body politick, and them into the same *to admit*." This power the General Assembly continued to exercise, until, in 1666, they granted it to the towns, to be exercised by them in town meeting.

In 1663-4, all persons, were required to be of "competent estates," in order to be admitted to vote. This qualification was re-enacted in 1665. In 1723-4, was enacted the statute which provided that no person could be admitted a freeman of any town, unless he owned a freehold estate of the value fixed by law. In 1798, the value of such freehold estate was required to be \$134, and thus it remained till the adoption of the Constitution. The main provisions of the act of 1723-4 have been, again and again, enacted. No material change has ever been made in the amount originally prescribed—and that act has invariably been considered by the General Assembly, and by the people, in the light of a fundamental law.

The Charter of 1663, provided that the towns in the State should be represented by "not exceeding six persons, for Newport, four persons for each of the respective towns of Providence, Portsmouth and Warwick, and two persons for each other town." In process of time, owing to the increase of population in some towns, and to its decrease or slow growth in others, the representation from the towns became very unequal. This inequality, however, though often made a topic of complaint, was never felt, even by the towns, who were inadequately represented, as a serious practical grievance. The Senate, consisting of the Governor, Lieutenant Governor and ten Senators, was chosen annually by general ticket, and was, therefore, under the Charter government, that branch of the Legislature which reflected, fully and impartially, the sentiments of the people.

Within about twenty years, four attempts have been made, under the sanction of acts of the General Assembly, to form a Constitution for this State, all of which attempts, except the last, failed. The first was made in the year 1824. The Constitution, which was then framed and submitted to the people, corrected to a very considerable extent, the alleged evil of an unequal representation. It, however, left untouched the freehold qualification, rejecting, almost unanimously, a motion to extend the elective franchise to non-freeholders. Had this Constitution been judged

according to its merits, it would have met a better fate. The people, not yet ripe for a change, rejected it by a very decided majority. Total of votes for the Constitution, 1668—against it, 3,206; majority against it, 1538.

In 1834, another Convention for the purpose of framing a Constitution dissolved, for want of a quorum, and without submitting a draught of a Constitution to the suffrages of the people. A motion to extend the elective franchise to non-freeholders obtained, in this Convention, only seven votes, but four more than were obtained in 1824. In this Convention, seven towns, out of thirty-one, were unrepresented—an indication that, up to that time, the desire to part with the Charter government, or to change any of its essential provisions, was far from universal.

In 1836, the Election Law again underwent a revision by the General Assembly, then composed of a decided majority of the democratic party. The exclusive freehold qualification, being deemed a part of the fundamental law of Rhode-Island, was, however, retained. Only two members voted in favor of changing it!

In March 1840, the Rhode-Island Suffrage Association was formed, having in view "a liberal *extension* of suffrage to the *native white* male citizens of the United States resident in Rhode-Island." At that time, universal suffrage was, by the members of this association, very generally repudiated. Suffrage associations, auxiliary to the parent body, were subsequently formed in various parts of the State.

In January 1841, printed petitions, signed by about 600 persons in all, were presented to the Legislature, praying for "the abrogation of the Charter, and the establishment of a Constitution which should more effectually define the authority of the executive and legislative branches, and more strongly recognise the rights of the citizens." The signers of these petitions suggested the propriety of an extension of suffrage "to a greater portion of the *white* male residents of the State," than were permitted by the then existing laws to exercise the elective franchise. At the same session of the General Assembly, a memorial was presented from the town of Smithfield, setting forth "the extreme inequality of the representation from the several towns," and asking legislative interposition for the correction of the alleged evil. The result of these applications to the Legislature, was the passage of resolutions requesting the people to elect delegates to a Convention to be held at Providence, in November 1841, to frame a new Constitution for this State, in whole or in part. At the session in June 1841, a resolution was adopted, constituting the proposed Convention more strictly upon the basis of population. The Legislature, however, refused to extend the right of electing delegates to the Convention, to persons who were not qualified electors by the fundamental laws of the State. Notwithstanding the disposition of the General Assembly to act, in this matter, in accordance with popular sentiment, measures were taken, before the June session, by the friends of the suffrage movement, to organize a Convention by their own authority.

In May, 1841, at a mass meeting held in Newport, under the auspices of the Suffrage Association, measures were taken for calling a convention of the people, without any regard to the fundamental laws of this State, which, for more than one hundred years, had required the possession of a freehold, to entitle a person to be admitted to the exercise of political power, and to be a member of the body politic and corporate. A portion of the people responded to the call of this unauthorized body, and met in the several towns to choose delegates to a Convention to form a Constitution for this State, to be holden at Providence, October 9th, 1841.

This was in anticipation of the lawful Convention which was to meet on the first Monday of November, 1841.

The unauthorized Convention assembled in Providence, at the time appointed. They were the delegates of a minority of the people, in whatever sense the word people may be understood. A small portion of the freeholders joined in this irregular election, and although all persons were admitted to vote who chose, not more than about seven thousand two hundred votes, gave any appearance of sanction to this Convention. The number of white male citizens of the United States, resident in this State, over 21 years of age, exceeds 22,000. Inasmuch as this Convention assumed the authority which, under the laws of the State, was to be exercised by another Convention, chosen by the freemen for that purpose, they acted in opposition to the law under which the lawful Convention was called, and in violation of the right which belonged to the legally qualified electors, to make a Constitution for this State.

This unlawful Convention, elected by a minority of the people, proceeded to the solemn work of forming a Constitution to be proposed to the people of this State, and also exercised one of the most important powers of sovereignty; of their own authority they decided what portion of the people should, and what portion should not, vote upon the adoption or rejection of the Constitution. At meetings holden under their authority, their Constitution was submitted to those whom they pleased to recognise as the people. It was voted for, during three days, in open meetings, and three days by votes collected from all quarters, by any person or persons, and brought to the pretended Moderator, and with no opportunity for detection of frauds. Votes thus collected and counted by their own mode of computation, they declared to have been given by a majority of the people, and by the same pretended authority, they proclaimed their Constitution to be the supreme law of this State.

By the "People's" Constitution, "every white male citizen of the United States of the age of 21 years, who has resided in this State for *one* year, and in the town where he votes for six months," was permitted to vote.

The lawful Convention assembled at the appointed time, the first Monday in November, 1841. The result of their deliberations was a Constitution, extending the right of suffrage to every white male *native* citizen of the United States, of the age of 21 years, who had resided two years in

the State. In reference to naturalized citizens, the freehold qualification was retained.

On the 21st, 22d and 23d March, 1841, the legal Constitution, by an act of the Legislature, was submitted to all persons, who by its provisions would be entitled to vote under it, after its adoption, for their ratification. It was rejected by a majority of 676, the number of votes polled being 16,702—for the Constitution, 8013—against it, 8689. Many freeholders voted against it, because they were attached to the old form of government. Both parties used uncommon exertions to bring all their voters to the polls. Yet, under the scrutiny of opposing interests, in legal town meetings, the friends of the People's Constitution brought to the polls probably not over 7000 to 7500 votes. If 1000 be allowed as the number of freeholders who voted against the legal Constitution, because they were opposed to any Constitution, it would leave the number of the friends of the People's Constitution 7600, or one third of the voters of the State under the new qualification proposed by either Constitution.

The whole number of persons claimed to have voted for the People's Constitution, was 13,996. The number claimed by the suffrage party, as being entitled to vote, was 23,542. At the first election under the People's Constitution, held while the excitement on the subject of suffrage was unabated, only 6,417 persons voted—a reduction of 7,449, from the alleged vote for the Constitution! In the town of Newport, 1,207 votes were claimed for the People's Constitution. Only three months afterwards, in March 1842, the vote was taken upon the legal Constitution, and every person who had resided in the State two years, was admitted to vote, and only foreigners and the transient population excluded. The suffrage party, after the most strenuous exertions, could obtain only 361 votes against it! The aggregate vote of both parties, given at this same town meeting, was only 1091 votes! These facts cannot easily be explained away. What frauds were committed in other towns, the people were not permitted to ascertain. The People's Convention, in January 1842, by resolution, authorized their Secretaries to copy any part of the registry of the votes, or the votes themselves, upon the application of any person. Foreseeing what would be the inevitable result of a rigid examination of the registry, the *Suffrage Association* countermanded the orders of the *People's Convention*, and prohibited any further copies from being taken!

On the 4th of May 1842, the Charter government was organized, as usual, at Newport. The suffrage party, having also elected a Governor and a Legislature, under the so-called "People's Constitution," organized a government, under the protection of an armed force, May 3d, 1841, at Providence.

On the 18th of May 1842, an attempt was made by an armed force, commanded by the Governor under the People's Constitution, to capture the State's Arsenal in Providence. The military force assembled on that occasion, was, in the language of the "People's Governor," "not

less than 400 men, whose port and spirit indicated that they were ready, in the last resort, to sustain the People's Constitution, and the government duly elected under it, by *all necessary means!*" The result of this most atrocious enterprise has become matter of history.

In the third week of June 1842, the General Assembly passed an act providing for another Convention to form a Constitution, to be held in September, and to be composed of delegates chosen by persons having three years' residence in the State, neither property, taxation, nor military service being required as a qualification.

In the last week of June 1842, another desperate effort was made to overthrow, by force of arms, the regular government of Rhode-Island, and to establish the "People's Constitution" upon its ruins. The result of this effort, which has given to Chepachet and to the Insurgents who there assembled, so unenviable a celebrity, has likewise become matter of history.

The Convention provided for by the act of the General Assembly in June, assembled at Newport, in September 1842. The Constitution under which the government of Rhode-Island has just been organized, was draughted by this Convention, and by them was submitted to the people, for adoption or rejection, on the 21st, 22d and 23d days of November 1842. The people adopted it by a very decided vote; for the Constitution, 7,032—against it, only 59. The suffrage party formally protested against the adoption of the legal Constitution, and declined even to vote against it! They, however, subsequently determined to register their names, according to its provisions; and, at the recent election, by voting under it, they, in a legal sense, fully acknowledged its VALIDITY!

NOTE.—Vide Report of the Committee on the action of the General Assembly, on the subject of the Constitution, March Session, 1842.—Hazard's Report on the Extension of Suffrage, June Session, 1829.—Statement submitted by John Whipple, John Brown Francis, and Elisha R. Potter to the President of the United States, 1842.—Considerations on the Rhode-Island Question, by Elisha R. Potter, 1842.—Frieze's "Concise History" of the Suffrage Movement, 1842.

ORIGIN OF THE WORD "PROX."

At the recent election in this State, one of the "tickets" on which was placed the names of candidates for General Officers, was denominated Rhode-Island "Prox." As the Constitution cannot give law to language, this word, so long associated with institutions under the Charter government, is likely to be retained in use. The following account of its meaning and derivation, is, therefore, not unworthy of preservation. It was published originally in the Rhode-Island American for August 1, 1817, and was written, in the presence of the Editor, *currente calamo*, by the late Hon. James Burrill:

"We use the word Prox in the sense of a ticket or list of candidates for the offices of Governor, Lieutenant Governor, and Senators. The origin

of this singular use of the word is, it is believed, as follows:—Under the Charter of Charles II. to the Colony of Rhode-Island and Providence Plantations, the freemen, after having elected their Representatives at home, went in person to Newport to vote for “Governor, Lieutenant Governor and Assistants.” At a later period, this mode being found inconvenient, the General Assembly passed a law permitting the freemen to vote in the April town meeting for General officers, and the votes thus given in were and are now by law, called *Proxy votes*, because they were to have the freeman’s name written on the back of the vote, and were to be sent to the General Assembly by one of the members, who was thus considered as the Proxy of his constituent—and the member himself might, as might also any other freeman who did not vote in April, give in his vote personally at the General Election in May. When an election was likely to prove “close,” as the phrase was, the friends of the candidates collected all such freemen as had not voted in town meeting, and carried them to Newport to vote at the General Election. This system being obviously calculated to promote bribery and corruption, and being also productive, as experience proved, of riots and tumults at the General Election, was altered many years ago; and the freemen, as in other States, now give their suffrages in their respective town-meetings. So late, however, as 1798, a Representative in the Assembly, who had not voted at home, might vote on the Annual Election Day at Newport.

“Though the reason for the singular use of this word among us has long ceased, the word, as is often the case in other instances, remains in use. And our statutes call the votes given in for “General Officers,” *proxy votes*, and in common parlance the vote is called a *prox*, or in the plural, *proxies*.”

RECEPTION OF THE CHARTER OF CHARLES II.

The following extracts from the Colony Records, show how cordial and diffusive was the joy felt by our ancestors, at the reception of the Charter of Charles II.

“THE PROCEEDS OF A COURT OF COMMISTIONERS AT NUPORT, NOVEMBER 24: 1663.

Votted that Captayne George Baxter be desiered to bring forth and present the Charter to this Court.

Votted that this Court be adiourned vntill to morrow morning eight of the clocke to give way for the Charter to be read.

Att a very great Metting and Asembly of the Freemen of the Collony of Providence Plantations at Nuport one Rhod-iland in New England
November 24: 1663.

The abovesayd Asembly beinge legally called and orderly mett for the Sollome Reseption of his Maicstyes gracious Letters pattents vnto them sent and having in order therto chosen the Presedent Benidick Arnold Moderator of the Asembly,

It was ordered and voted Nemene Contradecente.

Voted 1. That Mr. John Clarke the Collony Agents Letter to the President Asestants and freemen of the Collony be opened and Read which accordingly was done with good delevry and atention—

Voted 2. That the box in which the King's gracious Letters weare inclosed be opened and the Letters with the Broad Seale thereto affixed be taken forth and Read by Captayne George Baxter in the audiance and vew of all the people : which was accordingly done and the sayd letters with his Maiestyes Royall Stampe and the broad Seale with much beseming gravity held up on hygh and presented to the parfitt vew of the people, and soe Retorned into the box and locked vp by the Governor in order to the safe keping it.

[Here follow votes of thanks to King Charles II., to Lord Clarendon, and to Dr. Clarke.]

Voted 8. That Captayne George Baxter shall have five and twentye pound starling in Corrant pay given him as a token from the Collony of ther Thankfull Resentment of the Charter of which hee was the most faythfull and happie bringer and presenter by our Agents order vnto this Asembly besids the Charge of his being in and cominge from Boston therwith to be alsoe defrayed and the sd 25 pound to be payd him with all conveniante speed.

Votted 9. That all the above sayd Votts be Recorded by Joseph Torrey Gennerall Recorder and soe the Asembly is disoulfed in order to the aecquiseing his Maiestyes order and Commands in the Charter."

Colony Records, pp. 232-234.

LAST DAYS OF THE CHARTER LEGISLATURE, AND THE ORGANIZATION OF THE GOVERNMENT UNDER THE CONSTITUTION.

The General Assembly under the Charter, convened at the State House, in Newport, on Monday, May 1, 1843, agreeably to a vote of adjournment, passed at the session in January. A quorum of both Houses being present, the session was opened at 3 o'clock P. M., by Prayer, by the Rev. Francis Vinton, Rector of Trinity Church, Newport. The two Houses, in Grand Committee, then adopted the following Resolution :

"Resolved, That Messrs. Lawton, Fenner, Potter, Harris and Bosworth, of the Senate, and Messrs Cranston, Branch, Updike, Remington and Hall, of the House, be a committee to be present at, and witness the organization of the government under the Constitution adopted by the people of this State, in November last ; and that said committee make report to this General Assembly, as soon as said organization shall be completed in conformity to the provisions of said Constitution, in order that this General Assembly may know when its functions shall have constitutionally passed into the hands of those who have been legally chosen by the people, to receive and exercise the same."

The Grand Committee then adjourned, till 5 o'clock, the next day, Tuesday, May 2, 1843.

The General Assembly, under the Constitution adopted by the people, in November, A. D. 1842, convened at the State House, in Newport, on the first Tuesday of May, 1843, agreeably to the provisions of that instrument, at 11 o'clock A. M.

The members of the new Senate and House assembled in separate chambers, for the purpose of organizing the government. His Excellency, Samuel Ward King, the last Governor under the Charter of 1663, presided in the organization of the new Senate; and the senior member from the town of Newport, the Hon. Henry Y. Cranston, and the Clerks of the old House, acted as officers of the new House, until it was organized.

In the Senate, thirty-one Senators, the whole number, were found to be present. After receiving their certificates of election, the Secretary of State, the Hon. Henry Bowen, administered the oath prescribed by the Constitution.

In the House, after the observance of the customary formalities, the Secretary of State administered the oath to the members, a large majority of whom were found to be present. Hon. Alfred Bosworth was then elected Speaker, for the year ensuing; and Thomas A. Jenckes and Joseph S. Pitman, Clerks, for the year ensuing.

His Excellency the Governor and the Honorable Senate then joined the House, in Grand Committee, for the purpose of receiving the votes for General Officers, and of appointing a committee to count the same.

The session of the General Assembly was then opened by Prayer, by the Rev. Francis Vinton.

After receiving the ballots from the Secretary of State, the Grand Committee appointed a committee to count them, consisting of one Senator and three Representatives from each county. To this committee were then added the Secretary of State and the Clerks of the House.

The Grand Committee then adjourned till five o'clock in the afternoon of the same day.

The Grand Committee met at five o'clock, His Excellency Governor King in the Chair.

The committee appointed to count the votes for General Officers made report as follows:

Whole number of votes for Governor,		16,520
For James Fenner,	9,107	
Thomas F. Carpenter,	7,392	
Scattering,	21	
Majority for Fenner,		1,694
Whole number of votes for Lieutenant Governor,		16,612
For Byron Diman,	9,212	
Benjamin B. Thurston,	7,398	
Scattering,	2	
Majority for Diman,		1,812
Whole number of votes for Secretary,		16,594
For Henry Bowen,	9,212	
Dexter Randall,	7,378	
Scattering,	4	
Majority for Bowen,		1,830
Whole number of votes for Attorney General,		16,591
For Joseph M. Blake,	9,217	
Samuel Y. Atwell,	7,372	
Scattering,	2	
Majority for Blake,		1,843
Whole number of votes for General Treasurer,		16,598
For Stephen Cahoon,	9,215	
Josiah S. Munro,	7,383	
Majority for Cahoon,		1,832

"The foregoing Report being read and accepted, it was thereupon *Resolved*, that the said James Fenner be declared elected Governor; Byron Diman, Lieutenant Governor; Henry Bowen, Secretary of State; Joseph M. Blake, Attorney General; and Stephen Cahoon, General Treasurer, who were severally engaged according to the provisions of the Constitution." Governor King, who, during the ceremony, was seated in the identical oaken chair, in which, one hundred and eighty years ago, Governor Arnold received the Charter, immediately resigned his seat to his successor, while the Speaker of the House called out, as usual,—“Sheriff, clear the way—Sergeant make proclamation that his Excellency James Fenner is elected Governor, Captain-General and Commander-in-Chief of the State of Rhode-Island and Providence Plantations for the year ensuing.” The crowd gave way, and the Town Sergeant of the town of Newport, made the customary proclamation of the election of Governor to the people, from the balcony of the State House. After proclaiming the other General Officers, in a similar manner, the Sergeant added, according to the pious formality observed by our ancestors: “God save the State of Rhode-Island and Providence Plantations.” The roar of artillery and the shouts of the people, followed the proclamation made by the Sergeant.

The two Houses then separated.

The following joint Resolution passed both Houses on the same day:

“*Resolved*, by this General Assembly, that Messrs. Cranston and Chace, of Newport, Ames and Branch, of Providence, Hazard and Barber, of Washington, Whipple and Brayton, of Kent, Hall and Cole, of Bristol, with the Senators from Providence, Little Compton, Westerly, Warwick and Warren, be a committee to wait upon the General Assembly under the Charter here legally convened, and announce to said General Assembly in Grand Committee assembled, that the Government under the Charter is duly organized.”

The House then adjourned till 10 o'clock, A. M., the next day; and the Senate till 3 o'clock, P. M., the next day.

—

After the adjournment, (on Tuesday,) of the General Assembly under the Constitution, the General Assembly under the Charter convened in Grand Committee, Governor King in the Chair.

The Committee appointed by the General Assembly under the Constitution, appeared and made report, through their Chairman, the Senator from Providence, that the Government under the new Constitution, was legally organized.

The Committee appointed by the Grand Committee on Monday, to witness the organization of the new Government, made the following report:—

To the Honorable General Assembly of the State of Rhode-Island, &c., now assembled at Newport, under the Charter of this State.

The subscribers, appointed by this Honorable Body, a Committee to be present at the organization of the new General Assembly under the Constitution recently adopted by the people of this State, respectfully report, that they have attended to the duty assigned to them; that the Senate and House of Representatives under the Constitution have been duly organized according to the provisions of said Constitution, and the act passed at the last January Session of the General Assembly, regulating their organization, and that, therefore, according to the provisions of said

Constitution, the power of the Government as organized under the Charter has ceased.

EDWARD W. LAWTON,
ELISHA HARRIS,
ELISHA R. POTTER,
HEZEKIAH BOSWORTH,
HENRY Y. CRANSTON,
WILKINS UPDIKE,
BENJAMIN HALL,
BENJAMIN F. REMINGTON,
STEPHEN BRANCH.

Newport, Tuesday, May 2, 1843.

Whereupon the following resolution was adopted :

IN GENERAL ASSEMBLY,
Tuesday, May 2d, 1843. }

Resolved, That the foregoing Report be accepted, and that this General Assembly be and the same is hereby declared to be dissolved.

With the passage of this Resolution, the last General Assembly under the Old Charter ceased to exist.

CELEBRATION OF THE CHANGE IN THE CIVIL GOVERNMENT OF RHODE-ISLAND.

On Wednesday, the 3d of May, 1843, this memorable event was celebrated by the people of Rhode-Island, at Newport. The arrangements for the celebration were made by the citizens of that town, who invited the Hon. General Assembly, and their fellow-citizens of the State, to join with them in the performance of the ceremonies on that occasion.

At 11 o'clock A. M., a procession was formed in front of the State House, according to the following order, and marched through some of the principal streets, to the North Baptist Church.

MILITARY ESCORT.

Newport Artillery, Lieutenant Col. Coggeshall.
[Under the command of Col. Swan.]

CIVIL ESCORT.

Town Marshal.

Citizens of Newport.

Orator and Chaplain of the Day.

Governor of the State and Staff,

[Preceded by the High Sheriff of Newport.]

Lt. Governor and Senate.

Speaker, Members, and Officers of the House of Representatives.

Secretary, Attorney General, and General Treasurer.

Judges of the Supreme Judicial Court.

[Here follow Officers of the Government under the Charter of 1663, viz :]

Marshal.

His Excellency SAMUEL W. KING and Staff.

Members and Secretary of the Governor's Council.

His Honor Lieut. Governor Bullock.

Members of the Senate.

Speaker, Members and Officers of the House of Representatives.

Secretary, Attorney General and General Treasurer.

Former Governors of the State now living.

Town Sergeant of Newport.

President and Members of Town Council of Newport and Town Clerk.

Reverend Clergy of Newport.

President and Members of the Rhode-Island Historical Society.

President and Officers of Brown University.

Mayor of the City of Providence.

Members of the United States Senate and House of Representatives.

Judge of the U. S. Circuit Court and Judge of the U. S. District Court.

U. S. District Attorney, Marshal and Clerk of District Court.

Former Senators and Representatives in Congress.

Surviving Officers and Soldiers of the Revolution.

Surviving Officers of the Battle of Lake Erie.

Civil Officers of the U. S.

Major General of the Militia of Rhode-Island and Staff.

Brigadiers General of Rhode-Island and Staff.

General Staff, viz : Adjutant General, Quartermaster General, Commis-

sary General and Purveyor General of the Military Hospital.

Citizens of the State of Rhode-Island.

Military of other States.

Citizens of other States.

Marshal.

—

The Exercises at the Church were performed in the following order :

ANTHEM — "O PRAISE YE THE LORD!"

O praise ye the Lord ! prepare your glad voice,

His praise in the great assembly to sing ;

In their great Creator let all men rejoice,

And heirs of salvation be glad in their King.

And heirs, &c.

Let them his great name devoutly adore ;

In loud swelling strains his praises express,

Who graciously opens his bountiful store,

Their wants to relieve, and his children to bless.

Their wants, &c.

With glory adorned, his people shall sing

To God, who defence and plenty supplies :

Their loud acclamations to him, their great King,

Thro' earth shall be sounded, and reach to the skies.

Thro' earth, &c.

Ye angels above, his glories who've sung,

In loftiest notes, now publish his praise ;

We mortals, delighted, would borrow your tongue ;

Would join in your numbers, and chant to their lays.

Would join, &c.

PRAYER—By REV. MR. LEAVER, of Newport.

ORIGINAL ODE.

Music, awake thy loftiest strain,

In praise of Heaven's eternal Lord,

Let His salvation be the theme,

And ever be His name ador'd !

To Him, whose kind paternal hand,

Directed in our darkest hour,

When clouds of gloom o'erspread our land,

Our gladsome hearts their praise outpour—

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Within thy Temple, Sovereign Lord,
Rhode-Island's sons their offerings bring—
Guide us, protect and ever guard,
Under the shadow of Thy wing.

Our motto is—"In God we hope"—
And may it ever be the same;
They ne'er shall fail—a certain prop,—
Who trust His great and glorious name.

ADDRESS—by WM. G. GODDARD, ESQ. of Providence.

PSALM 101: TUNE "OLD HUNDRED."

Mercy and judgment are my song,
And since they both to thee belong,
My gracious God, my righteous King,
To thee my songs and vows I'll bring.

If I am rais'd to bear the sword,
I'll take my counsels from thy word;
Thy justice and thy heavenly grace
Shall be the pattern of my ways.

Let wisdom all my actions guide,
And let my God with me reside:
No wicked thing shall dwell with me,
Which may provoke thy jealousy.

No sons of slander, rage and strife,
Shall be companions of my life;
The haughty look, the heart of pride,
Within my doors shall ne'er abide.

In vain shall sinners hope to rise
By flattering or malicious lies:
And while the innocent I guard,
The bold offender sha'n't be spared.

The impious crew, that factious band,
Shall hide their heads, or quit the land;
And all that break the public rest,
Where I have power, shall be suppress'd.

BENEDICTION.

The Procession then returned to the Parade in front of the State House, and was dismissed by the Chief Marshal.

The original Charter of 1663, was borne in the procession by the venerable Captain David M. Coggeshall, of Newport. During the performance of the ceremonies, this venerated instrument was, for the last time, "presented to the perfect view of the people," being suspended from the front of the pulpit, while the box in which it was brought from England to Rhode-Island, by the faithful Captain Baxter, occupied a place on the cushion at the right hand of the Orator. The Charter is beautifully engrossed on three sheets of parchment, which have become somewhat worn and decayed by the lapse of a hundred and eighty years. A part of the seal has been broken off, but is preserved with the rest.

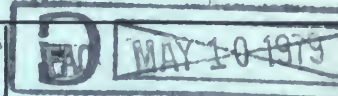


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